

# THE MISUSE OF RELIGION IN THE GLOBAL WAR ON TERRORISM

Jeffrey F. Addicott\*

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## I. INTRODUCTION

I have sworn upon the altar of God eternal hostility against every form of tyranny over the mind of man.<sup>1</sup>

When one considers the role of religion in the Global War on Terrorism,<sup>2</sup> a sad, yet familiar, dichotomy emerges. While the murderous machinations of al-Qa'eda-

\* Professor of Law; Associate Dean for Administration; Director, Center for Terrorism Law, St. Mary's University School of Law. B.A. (with honors), University of Maryland, 1976; J.D., University of Alabama School of Law, 1979; L.L.M., The Judge Advocate General's School of Law, 1987; L.L.M., University of Virginia School of Law, 1992; S.J.D., University of Virginia School of Law, 1994. Among the colleagues and friends who have supported this article with their insight, time and thoughtfulness are Debby E. Addicott and the student research fellows at the Center for Terrorism Law.

1. Thomas Jefferson, *quoted in* WILLIAM J. FEDERER, AMERICA'S GOD AND COUNTRY, *ENCYCLOPEDIA OF QUOTATIONS* 323 (1994).

2. The term "Global War on Terrorism" (or "War on Terror") is used to describe the ongoing global conflict between the United States of America and the al-Qa'eda and similar militant Islamic terror networks. *See generally* George W. Bush, Address to a Joint Session of Congress and the American People (Sept. 20, 2001), *available at* <http://archives.cnn.com/2001/US/09/20/gen.bush.transcript> [hereinafter Address to Joint Session] (citing al-Qa'eda and the nations that support that "radical network of terrorists" as the enemy in the U.S. War on Terror). The pivotal moment in the conflict is traced to September 11, 2001, when 19 members of the terrorist al-Qa'eda organization hijacked four domestic passenger jet aircraft while in flight (five terrorists in three of the planes and four in the fourth). *See generally* Evan Thomas, *A New Date of Infamy*, *NEWSWEEK*, Sept. 13, 2001, at 22 (creating a timeline of the atrocities and events that occurred on September 11, 2001). The terrorists crashed two of the aircraft into the twin towers of the World Trade Center in New York. *Terrorists Destroy World Trade Center, Hit Pentagon in Raid With Hijacked Jets; Nation Stands in Disbelief and Horror; Streets of Manhattan Resemble War Zone Amid Clouds of Ash*, *WALL ST. J.*, Sept. 12, 2001, at A1. A third plane hit the Pentagon in Washington, D.C., but the fourth plane crashed into a field in Pennsylvania, most likely a result of the efforts of

styled militant Islam constantly invoke religious beliefs to justify the use of the most horrible forms of illegal violence, some voices in the West appropriate their own system of religious beliefs as a justification to advance platforms of pacifism in dealing with the terrorists.

As even the novice student of history knows, the relationship between religion and war has existed for a very long time. A brief review of human history reveals that various individuals, groups and nations have wrongfully used religious dogma as a pretext to engage in aggression against others.<sup>3</sup> For instance, reflecting the idea that God was on their side, the Nazis in World War II issued a metallic military belt buckle to their infantry that was stamped with the phrase *Gott Mit Uns* ("God With Us"). Accordingly, it is no surprise that the Islamic radicalism that fuels the Global War on Terrorism employs what it calls the "true" Moslem religion in order to cloak a lust for domination through despicable expressions of unlawful violence, primarily targeting innocent civilians (Muslims, Christians and Jews). In short, al-Qa'eda-styled militants claim that their religious beliefs justify the use of illegal and aggressive violence.

On the other hand, when it comes to confronting the forces of al-Qa'eda-styled aggression, it is not surprising that democracies like the United States of America will also employ religious ideology and symbolism to support the necessary use of force in self-defense.<sup>4</sup> However, despite the fact that all American presidents, to include George W. Bush,<sup>5</sup> have invoked religious themes in time of war, the use of religion in this context is generally subordinate to the more predominant and commonsense themes of self-defense and patriotism.<sup>6</sup> The issue that does surprise is that many religious leaders in the West will align themselves with anti-war activists and then employ religion as the reason to reject all forms of violence whatsoever, self-defense or otherwise. For these voices of appeasement, a misapplication of

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some of the passengers. According to a *New York Times* tally, along with billions of dollars in property loss, approximately 3,047 were killed, not including the 19 terrorists. See *A Nation Challenged; Dead and Missing*, N.Y. TIMES, Apr. 24, 2002, at A13. During its two-term tenure, the Bush Administration has repeatedly indicated that the War on Terror also encompasses appropriate action against those rogue states who pose a direct threat to the United States with the possession or desired possession of weapons of mass destruction. See Address to Joint Session, *supra* ("From this day forward, any nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime."). The concern is that some dictatorships, like the current Iranian regime, might provide weapons of mass destruction to terrorist operatives who would then use them against the United States. See George W. Bush, State of the Union Address (Jan. 29, 2002), available at <http://www.whitehouse.gov/news/releases/2002/01/20020129-11.html> ("The United States of America will not permit the world's most dangerous regimes to threaten us with the world's most destructive weapons."). See also THE NATIONAL SECURITY STRATEGY OF THE UNITED STATES OF AMERICA 15 (Sept. 17, 2002) (enumerating the so-called Bush Doctrine, which adopts the use of preemptive force in self-defense and is designed to prevent the marriage of al-Qa'eda-styled terrorism with weapons of mass destruction).

3. See ADOLF HITLER, MEIN KAMPF 65 (Ralph Mannheim ed., 1999) (1925) ("Hence today I believe that I am acting in accordance with the will of the Almighty Creator: by defending myself against the Jew, I am fighting for the work of the Lord.").

4. See Barack Obama, *Politicians Need Not Abandon Religion*, USA TODAY, July 10, 2006, at 11A. "Abraham Lincoln, William Jennings Bryan, Martin Luther King Jr.—indeed, the majority of great reformers in American history—were not only motivated by faith, they also used religious language to argue for their cause." *Id.*

5. All U.S. Presidents have employed the concept of God in time of war. See generally ARTHUR M. SCHLESINGER, JR., WAR AND THE AMERICAN PRESIDENCY (2004).

6. See MADELEINE ALBRIGHT, THE MIGHTY AND THE ALMIGHTY 18-32 (2006), for a good discussion of this phenomenon.

religious belief is used as a justification *not* to use lawful violence to curtail aggression. Paradoxically, as history has proven time and time again, appeasement—be it in the name of religion or not—cannot long curtail those intent on aggression.<sup>7</sup> Such wishful thinking simply emboldens the aggressor and inevitably leads to an increase in the butcher's bill of human suffering.

The purpose of this article is not only to address the major points of this paradox, but to explore whether religion itself, or any particular religion, is responsible for the continuing cycles of world conflict, to include al-Qa'eda-styled terrorism.<sup>8</sup> As the march of history continues, the forces associated with religious beliefs of whatever brand should not be employed in ways that stand in contradiction to the positive goals and aspirations embodied in the United Nations Charter.<sup>9</sup>

## II. MILITANT ISLAM

Bush, reinforce your security measures. The Islamic nation which sent you the New York and Washington brigades has taken the firm decision to send you successive brigades to sow death and aspire to paradise.<sup>10</sup>

Some have tried to depict the Global War on Terrorism as a war against all of Islam.<sup>11</sup> This is simply not true.<sup>12</sup> The Global War on Terrorism is a term that is generally used to describe the ongoing armed conflict against a select group of

7. See generally JEFFREY F. ADDICOTT, *TERRORISM LAW: CASES AND MATERIALS* 324-328 (2006).

8. Recognizing that polite conversation should never engage in a discussion of religion or politics, the author fully expects that this navigation will be controversial on several levels. My intent is not to proselytize but—for better or for worse—to provide my own personal insight on the matter.

9. See U.N. Charter art. 1; U.N. Charter art. 2, para. 3; U.N. Charter art. 2, para. 4. The maintenance of international peace and security is, in fact, the very purpose of the United Nations. No nation may resort to the "threat or [the] use of force against the territorial integrity or political independence of any State" to settle any form of dispute. U.N. Charter art. 2, para. 4. This, and the clear prohibition in Article 1 against any nation committing "acts of aggression or other breaches of the peace," creates a legal framework dedicated to curtailing unlawful aggression. U.N. Charter art. 1, para. 1.

10. Ayman al-Zawahiri, *quoted in* In Their Own Words, CI Centre's Counterterrorism Studies, [http://ctstudies.com/In\\_Their\\_Own\\_Words\\_1.html](http://ctstudies.com/In_Their_Own_Words_1.html) (last visited Nov. 24, 2006). Al-Zawahiri is Osama bin Laden's top deputy.

11. See 9/11 COMMISSION REPORT: FINAL REPORT OF THE NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES 51 (2004) [hereinafter 9/11 COMMISSION REPORT]. "They (Bin Laden and al Qaeda) say that America had attacked Islam; America is responsible for all conflicts involving Muslims. Thus Americans are blamed when Israelis fight with Palestinians, when Russians angry with Chechens, when Indians fight with Kashmiri Muslims, and when the Philippine government fights ethnic Muslims in its southern islands. America is also held responsible for the governments of Muslim countries, derided by al Qaeda as 'your agents.' Bin Laden has stated flatly, 'Our fight against these governments is not separate from our fight against you.' These charges found a ready audience among millions of Arabs and Muslims angry at the United States because of issues ranging from Iraq to Palestine to America's support for their countries' repressive rulers." *Id.*

12. In the words of former Secretary of State Madeleine Albright, it is also "nonsense to say that America declared war on Islam." ALBRIGHT, *supra* note 6, at 152. But see Susan Page, *Survey: Suspicion Separates Westerners, Muslims*, USA TODAY, June 23, 2006, at A7. A Pew Research Center poll found that "one of seven Muslims in France, Spain and Britain say suicide bombings against civilian targets can be justified at times to defend Islam." *Id.* See also Darran Simon, *Jeb Bush Ally Slams Islam*, MIAMI HERALD, July 8, 2006, at A1 (reporting a religious leader in Miami calling Islam "a dangerous religion").



fanatics that embraces a highly radicalized Islam—a distorted view of Islam that encourages and directs aggressive violence against the United States of America<sup>13</sup> as well as all “who do not share their militant jihadism.”<sup>14</sup> In 1996, Osama bin Laden, the founder of al-Qa’eda, issued his first declaration that he was at war with the United States. After listing a rambling series of so-called grievances against the “Zionist-Crusaders,”<sup>15</sup> he stated:

The walls of oppression and humiliation cannot be demolished except in a rain of bullets. The freeman does not surrender leadership to infidels and sinners. My Muslim Brothers of the World: Your brothers in Palestine and in the land of the two Holy Places are calling upon your help and asking you to take part in fighting

13. See Second Superseding Indictment, *U.S. v. Koubriti*, 199 F. Supp. 2d 656 (E.D. Mich. 2002) (No. 01-80778), available at <http://f1.findlaw.com/news.findlaw.com/hdocs/docs/terrorism/uskoubriti82802ind.pdf>. “Wahhabis, Takfiris, and Salafists . . . regard the Islam that most Muslims practice today as unpure and polluted by idolatry and Western influence . . . . These radical fundamentalist-Islamic groups see the world divided in two spheres; that is, Dar-al-Islam (House of Islam or Islamic Zone), where peace reigns (Sallam), and the Dar-al-Harb (House of War or War Zone), which prevents a true Islamic state. The latter is viewed by these radical fundamentalist-Islamic groups to include all infidel areas that must ultimately be conquered. Global jihad is the constant effort to achieve this goal.” *Id.* at 2-3. See also *Wahhabism: State-Sponsored Extremism Worldwide: Hearing Before the S. Subcomm. on Terrorism, Technology and Homeland Security*, 108th Cong. (2003) (statement of Alex Alexiev, Senior Fellow, Center for Security Policy), available at [http://judiciary.senate.gov/testimony.cfm?id=827&wit\\_id=2355](http://judiciary.senate.gov/testimony.cfm?id=827&wit_id=2355) [hereinafter *Wahhabism Hearing*] (“The Wahhabi project has contributed immeasurably to the Islamic radicalization and destabilization in a number of countries and continues to do so.”). See also 9/11 COMMISSION REPORT, *supra* note 11, at 47. “[W]hen interviewed in Afghanistan by ABC-TV, Bin Ladin enlarged on these themes. He claimed it was more important for Muslims to kill Americans than to kill other infidels. ‘It is far better for anyone to kill a single American soldier than to squander his efforts on other activities . . . . We believe that the worst thieves in the world today and the worst terrorists are the Americans. Nothing could stop you except perhaps retaliation in kind. We do not have to differentiate between military or civilian. As far as we are concerned, they are all targets.’” *Id.*; see also *id.* at 48. “Plans to attack the United States were developed with unwavering single-mindedness throughout the 1990s. Bin Ladin saw himself as called ‘to follow in the footsteps of the Messenger and to communicate his message to all nations,’ and to serve as the rallying point and organizer of a new kind of war to destroy America and bring the world to Islam.” 9/11 COMMISSION REPORT, *supra* note 11, at 48; see also *id.* at 70. “The attack on the U.S. embassy in Nairobi destroyed the embassy and killed 12 Americans and 201 others, almost all Kenyans. About 5,000 people were injured. The attack on the U.S. embassy in Dar es Salaam killed 11 more people, none of them Americans. Interviewed later about the deaths of the Africans, Bin Ladin answered that ‘when it becomes apparent that it would be impossible to repel these Americans without assaulting them, even if this involved the killing of Muslims, this is permissible under Islam.’” 9/11 COMMISSION REPORT, *supra* note 11, at 70. See also Mark Hosenball, *The Canadian Plot: An International Connection?*, NEWSWEEK, June 12, 2006, at 8 (describing the fact that FBI officials found some connection between some of the suspects and two men from Georgia who traveled to Canada last year to discuss terror attacks in the U.S.). But see MARK A. GABRIEL, ISLAM AND TERRORISM 47 (2002). “In Islamic Law there are only two types of nations—a nation that is of the house of Islam or a nation that is of the house of war. We all know that America and most of the European countries are not ‘the house of Islam,’ meaning they do not live by the Islamic law; therefore, they are the ‘house of war;’ Muslims who have any sense of loyalty to Islam will have a hard time justifying loyalty to their country if that country is not Islamic. The true Muslim believes the whole world is his home and that he is commanded to submit the world to the authority of Islam. A sincere believer of Islam will not die for a patch of dirt called the homeland, but he is willing to die for Islam and Islamic holy practices.” *Id.*

14. See PETER L. BERGEN, *THE OSAMA BIN LADEN I KNOW* 264 (2006). In his thought-provoking book, Bergen addresses his extensive investigative reporting related to Osama bin Laden and his organization.

15. *Id.* at 164-66.



against the enemy—your enemy and their enemy—the Americans and the Israelis.<sup>16</sup>

On May 10, 1997, CNN aired a March 22, 1997, interview with Osama bin Laden by Peter Arnett.<sup>17</sup> Bin Laden stated, “We declared jihad against the U.S. government, because the U.S. government is unjust, criminal and tyrannical.”<sup>18</sup> On February 22, 1998, bin Laden and his so-called “World Islamic Front” again declared a religious *fatwa*, urging in the strongest terms that all Muslims should engage in violence against “Jews and Crusaders.”<sup>19</sup> Rooting his hatred in his interpretation of the religion of Islam, bin Laden proclaimed:

All these crimes and sins committed by the Americans are a clear declaration of war on Allah, his messenger, and Muslims. And *ulema* [clerics] have throughout Islamic history unanimously agreed that the jihad is an individual duty if the enemy destroys Muslim countries. On that basis, and in compliance with Allah’s order, we issue the following fatwa to all Muslims: The ruling to kill the Americans and their allies—civilians and military—is an individual duty for every Muslim who can do it in any country in which it is possible to do it, in order to liberate the al-Aqsa Mosque [in Jerusalem] and the holy mosque [in Mecca] from their grip.<sup>20</sup>

While the ideological motivations of militant Islamic terror organizations appear to be focused on the advancement of cult-like “religious” objectives, the goals of these groups more closely mirror the aspirations of other fanatical movements throughout history such as the Nazis or Stalinists. In short, linked by a common bond of lust and aggression to gain, maintain and extend power, militant Islamic radicalism seeks to “conquer the world.”<sup>21</sup> The never-ending destructive quest for control is illustrated by their view of the seventh-century *jihad*—the spread of the “true” Islam by any means necessary.<sup>22</sup>

16. *Id.* at 166. This *fatwa* (a formal statement backed by a religious declaration) was issued on August 23, 1996.

17. *Id.* at 183. This was the first time that Osama bin Laden declared to Western reporters that his organization was at war with the United States.

18. *Id.*

19. *Id.* at 195.

20. *Id.* at 196. The *fatwa* was signed by Sheikh Osama bin-Muhammed bin Laden, Ayman al Zawahiri, Abu-Yasir Rifa’i Ahmad Taha, Sheikh Mir Hamzah, and Fazlur Rahman.

21. See GABRIEL, *supra* note 13, at 81-82. “Just as in the days of Muhammad, the fundamentalist followers of Islam today are pursuing world conquest.” *Id.*

22. See Wahhabism Hearing, *supra* note 13. “A key postulate of Wahhabi’s teaching asserts that Muslims who do not believe in his doctrines are ipso facto non-believers and apostates against whom violence and Jihad were not only permissible, but obligatory. This postulate alone transgresses against two fundamental tenets of the Quran—that invoking Jihad against fellow-Muslims is prohibited and that a Muslim’s profession of faith should be taken at face value until God judges his/hers [sic] sincerity at judgment day. This extreme reactionary creed was then used as the religious justification for military conquest and violence against Muslim neighbors of the House of Saud. Already in 1746, just two years after Wahhabism became Saud’s religion, the new Saudi-Wahhabi

Although militant Islam adopts the same *modus operandi* as the fascists and communists, its *modus vivendi* is different because it cloaks itself in a manipulated form of the Islamic religion in order to gain political power and social dominion.<sup>23</sup> Like all totalitarian mindsets, these new breeds of terrorists are set on using violence to destroy those individuals and things which are deemed to be outside a very narrow *weltanschauung* (world view).

Consequently, these terrorists have employed the concept of *jihad* as an obligation to engage in "holy war" and have demonstrated that they are not content to kill in small numbers, but instead seek access to weapons of mass destruction in order to murder thousands. They are no longer content to kill only those enemies they consider "infidels," but they now raise arms against fellow Muslims who do not support militant Islam, thus violating their own previously stated goals. For example, the vast majority of suicide bombers that murder innocent Muslims in Iraq are believed to be "foreign jihadists, principally from Saudi Arabia and the Gulf States."<sup>24</sup> Since the establishment of the new Iraqi government in 2004, well over 500 car-bombs driven by *jihadists* have murdered about 10,000 innocent civilians, mostly fellow Muslims.<sup>25</sup> Abu Mousab al-Zarqawi, the former leader of al-Qa'eda in Iraq (he was killed by U.S. firepower in June 2006), believed that "slaughtering fellow Arabs who followed different forms of Islam was as important as killing Westerners."<sup>26</sup>

In 1984, U.N. Ambassador Jeanne Kirkpatrick recognized the growing threat posed by radical Islam and spoke of a future "terrorist war, [that] is part of a total war which sees the whole society as an enemy, and all members of a society as appropriate objects for violent actions."<sup>27</sup> Kirkpatrick's words became reality on the morning of September 11, 2001. In fact, the 9/11 Commission found that the United States is facing a loose confederation of people who believe in a perverted branch of Islam and are busy building the groundwork for decades of struggle.<sup>28</sup>

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state proclaimed Jihad against all neighboring Muslim tribes that refused to subscribe to it. Indeed, well into the 1920s the history of the House of Saud is replete with violent campaigns to force other Muslims to submit politically and theologically, violating yet another fundamental Quranic principle that prohibits the use of compulsion in religion." *Id.*

23. See *Terrorism: Growing Wahhabi Influence in the United States: Hearing Before the S. Subcomm. on Terrorism, Technology and Homeland Security*, 108th Cong. (2003) (statement of Alex Alexiev, Senior Fellow, Center for Security Policy) available at [http://judiciary.senate.gov/testimony.cfm?id=827&wit\\_id=2355](http://judiciary.senate.gov/testimony.cfm?id=827&wit_id=2355) ("Early on in the Wahhabi ideological campaign, the penetration of the Muslim communities in non-Muslim Western societies was made a key priority. The objective pursued there was . . . aimed to assure Wahhabi dominance in the local Muslim establishments by taking over or building new Wahhabi mosques, Islamic centers and educational institutions, including endowing Islamic chairs at various universities.").

24. See FAWAZ A. GERGES, *JOURNEY OF THE JIHADIST* 276 (2006).

25. *Id.*

26. See Aparisim Ghosh, *The Apostle of Hate*, *TIME*, June 19, 2006, at 36. In 2004, Jordanian Abu Musab al-Zarqawi proclaimed his allegiance to Osama bin Laden and established al-Qa'eda in Iraq. He targeted fellow Muslims and their houses of worship.

27. Jeanne J. Kirkpatrick, Speech at the Jonathan Institute's Conference on International Terrorism, Washington, D.C. (June 25, 1984).

28. See Sulaiman Al-Hattlan, *Homegrown Fanatics*, *N.Y. TIMES*, May 15, 2003, at A35. "It is time to stop blaming the outside world for the deadly fanaticism in Saudi Arabia which some Saudis have done in saying that Sept. 11 attackers had been brainwashed elsewhere. As Mansour Al-Nogidan, a former religious fanatic who has become fundamentalism's strongest Saudi intellectual critic, wrote in a Saudi newspaper last Sunday, Saudi Arabia suffers from a homemade brand of fanaticism, propagated by members of the conservative Wahhabi school of

Perhaps the greatest achievement of militant Islam has been its ability to portray itself as the “true” Islam.<sup>29</sup> In this light, the most troubling hallmark associated with the spread of militant Islam is not the operation of terror training camps for the terror *jihadists*, but rather the established methodology of indoctrinating an ideology of hatred and violence into the minds of thousands, many of them innocent children.<sup>30</sup> In their homes, communities, and mosques, countless numbers are being brainwashed every day with no opportunity to escape. Like Hitler Youth Camps, the radical *madrasahs* serve as conveyor belts of death where an unlimited number of suicide bombers emerge convinced that their religion demands the murder of anyone holding a contrary worldview.<sup>31</sup> The predominantly young male suicide bombers are lured into death (euphemistically called martyrdom) by the religious promise of automatically securing a place in Paradise for themselves where they will receive “fleshly delights [virgins] and the expectation that they will be allowed to choose seventy friends and family members to join them in heaven.”<sup>32</sup>

A chilling testament of the use of religion to justify the mass murder of innocent civilians is found in the so-called “bin Laden videotape,” released to the public on December 13, 2001.<sup>33</sup> In the conversation between Osama bin Laden and Sheik Khaled al-Harbi, who surrendered to Saudi officials in 2004, regarding the attacks of September 11, 2001, numerous references are made to “Allah,” “Muhammad,” the “fight [holy war] of Muhammad,” and so on.<sup>34</sup> At one point, bin Laden boasts that the attacks were beneficial in fostering a “true” understanding of Islam. “[The attacks] made people think (about true Islam), which benefited them greatly.”<sup>35</sup> The video closes with the guest praising bin Laden in the name of Allah, “By Allah my *Shaykh* [bin Laden]. We congratulate you for the great work. Thank Allah.”<sup>36</sup>

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Islam. Hamza Al-Muzini, a prominent Saudi linguistics professor, recently wrote in another Saudi daily that his young son is being taught the culture of death at school, and that many teachers influence young Saudis with their extremist political agenda, a situation tolerated by the Ministry of Education.” *Id.*

29. *See id.*

30. *See* KENNETH R. TIMMERMAN, *PREACHERS OF HATE: ISLAM AND THE WAR ON AMERICA* 156 (2003) (concerning subject matter taught in Islamic schools). “In third grade, children learn hate through vocabulary. ‘The Zionist enemy attacked civilians with its aircraft.’ (*Our Arabic Language for Third Grade*, part 2, #523, p. 9[.]) In sixth grade, hate became a drill. ‘Who is the thief who has torn our homeland?’ (*Our Arabic Language for Sixth Grade*, part 1, #553, p. 15[.]) By seventh grade, students are expected to have internalized anti-Semitism so they can recite it on their own. ‘Why do the Jews hate Muslim unity and want to cause division among them? Give an example of the evil attempts of the Jews, from events happening today.’ (*Islamic Education for Seventh Grade*, #745, p. 19[.]) In ninth grade students are told, ‘One must beware of Jews, for they are treacherous and disloyal.’ (*Islamic Education for Ninth Grade*, #589, p. 79[.])” *Id.*

31. *Id.* (concerning Saudi-funded *madrasahs* in Pakistan). “Not only did the Saudis buy food, clothing, and weapons for the mujahedeen—with their billions they built an entire network of religious schools in Pakistan, where the next generation of Wahhabi interpretations of the Koran was taught. It was here that the Taliban was spawned, brought up to hate non-Wahhabi Muslims, the West, and, of course, the Jews.” *Id.*

32. *See generally* ALBRIGHT, *supra* note 6, at 188. *See also* ERGUN MEHMET CANER & EMIR FETHI CANER, *UNVEILING ISLAM* 193 (2002).

33. Transcript of Osama bin Laden Videotape, CNN (Dec. 13, 2001), <http://archives.cnn.com/2001/US/12/13/tape.transcript> (last visited Nov. 28, 2006) (translating the actual video, which National Public Radio makes available at [http://www.npr.org/ramfiles/war/bin\\_laden\\_vid.ram](http://www.npr.org/ramfiles/war/bin_laden_vid.ram)).

34. *Id.*

35. *Id.*

36. *Id.*



With the destruction of much of the command and control infrastructure of al-Qa'eda, it is clear that the world *jihadist* movement does not operate under direct orders from al-Qa'eda. Instead, dozens of independent networks of Islamic terror groups have formed without any formal connection to al-Qa'eda.<sup>37</sup> Al-Qa'eda certainly supplies the religious ideology and inspiration, but many of the terror cells operate independently, each choosing the time and place for terror attacks. This was certainly the case with the Madrid and London attacks.<sup>38</sup>

Finally, there is no question that Iraq serves as a magnet for al-Qa'eda-inspired *jihadists* from a variety of Muslim countries, much like Afghanistan in the 1980s. Accordingly, it is vitally important that the United States does all it can to support the new Iraqi nation to stand on its own. If America and her allies do not, there is a real possibility that Iraq will be cast into anarchy and, like Afghanistan in the late 1990s, be swallowed by a Taliban-styled regime. Helping establish a stable government on Iran's borders may ensure that other nations in the region do not become conduits for terror.

### III. PACIFISM

The only thing necessary for the triumph of evil is for good men to do nothing.<sup>39</sup>

The oft-heard saying "violence never solves anything" is a favorite catchphrase for so-called "peace activists." Of course, as is the case for many such glib expressions, it is a falsehood that does not stand up to reason or historical scrutiny. As illustrated by the Allied<sup>40</sup> defeat of the Axis powers<sup>41</sup> in World War II, only the application of lawful violence ultimately solved the problem of Axis aggression and murder. In short, the use of lawful violence in self-defense is a hard reality of life that must always remain a legitimate option to secure the peace. While nonviolence expressed in the form of public demonstrations, boycotts, "sit-ins," and the like may be efficacious when confronting social injustice in certain organizations and governments that are based to some degree on democratic foundations, such activities seldom make any progress when used to confront committed totalitarian

37. See, e.g., Peter Whoriskey & Dan Eggen, *7 Held in Miami Terror Plot Targeting Sears Tower*, WASH. POST, June 23, 2006, at A26 (reporting the arrest of seven members of an Islamic group in Miami, Florida, who were allegedly planning to engage in terror attacks in the United States); Tom Hays, *Fed's "All Over" Plot to Bomb NYC Tunnels*, MIAMI HERALD, July 8, 2006, at 3A (reporting a plot by eight Muslims to launch a massive bomb attack on New York's transit lines).

38. GERGES, *supra* note 24, at 261-63.

39. Edmund Burke, *quoted in* FEDERER, *supra* note 1, at 82.

40. See generally HAROLD EVANS, *THE AMERICAN CENTURY* (1998). During World War II (1939-1945), a large group of the world's nations banded together to form what was formally known as the Allied Powers, in an effort to combat the Axis Powers. The Allies included the United States, the United Kingdom, the Soviet Union, China, France, Poland, Greece, Canada, Yugoslavia, Czechoslovakia, Australia, New Zealand, India, Egypt, and Brazil, as well as many other countries.

41. *Id.* The Axis Powers of World War II consisted primarily of Germany, Italy and Japan. The Axis Powers sought to conquer and impose fascist regimes throughout the world.

forces.<sup>42</sup> Even Martin Luther King, Jr., the great American champion of nonviolence, conceded that this tactic would be useless against tyrants.

I felt that while war could never be a positive or absolute good, it could serve as a negative good in the sense of preventing the spread and growth of an evil force. War, as horrible as it is, might be preferable to surrender to a totalitarian system—Nazi, Fascist, or Communist.<sup>43</sup>

Sadly, in the course of the human experience, it is sometimes the case that nothing other than the employment of lawful violence will thwart the use of aggressive violence and the correct moral course is to employ lawful violence.<sup>44</sup> Understanding this truth is fundamental to penetrating the state of mind of those who simply reject violence under any circumstance. Tragically, those most devoted to peace above all values seem ill-prepared to recognize that the cost of not using lawful violence may be ensuring a continuation of aggressive violence that could spiral out of control.<sup>45</sup> In the current Global War on Terrorism, the real possibility that weapons of mass destruction will be used against large civilian population centers is not an idle concern.<sup>46</sup> Accordingly, it may be that the preemptive application of lawful violence is the only realistic option available.

Peace activists who use religion (primarily their reading of Christianity) to justify a rejection of force come in many varieties. Some try to mask their refusal to engage in violence with Bible verses taken out of context, while others simply make broad religious generalizations about the matter. For instance, William H. De Lancey, bishop of the Episcopal Diocese of New York, wrote a letter to Abraham Lincoln in 1863, invoking religion to avoid participating in the American Civil War. He demanded that he and all other bishops and priests be exempted

42. ALBRIGHT, *supra* note 6, at 60. Speaking about her background of persecution and accepting the concept of nonviolence, Albright still recognized that this tactic would not work against Hitler and his kind. "Attending church while in office, every time I heard 'Blessed are the peacemakers,' I took the words deeply to heart. I cherish peace and admire Gandhi, the Quakers, and other proponents of nonviolent resistance; but when I consider Hitler and the many episodes of ethnic cleansing and genocide, I cannot agree that nonviolence is always the best moral course." *Id.*

43. MARTIN LUTHER KING, JR., *STRIDE TOWARD FREEDOM: THE MONTGOMERY STORY, PILGRIMAGE TO NONVIOLENCE* 3 (1958). Martin Luther King, Jr., a religious leader and civil rights crusader, advocated the use of non-violence to confront *de facto* and *de jure* segregation throughout the United States in the 1950s and 1960s. At the age of thirty-five, Martin Luther King, Jr. became the youngest man in history to win the Nobel Peace Prize.

44. ALBRIGHT, *supra* note 6, at 60.

45. *Id.* at 44. In her chapter entitled "Good Intentions Gone Astray: Vietnam and the Shah," Albright discusses how the Carter policy of insufficiently supporting the Shah of Iran in the late 1970s led to far greater human rights abuses under the *mullahs*. "Many rejoiced when the monarch was brought down, but from any objective standpoint, the practices of Iran's successor governments with regard to human rights have been far worse than the shah's. In the first few years alone, thousands of people were executed for political dissent and 'moral crimes.' The shah's secret police were replaced by religious 'guardians of the faith,' who were even more ruthless." *Id.*

46. *National Strategy to Combat Weapons of Mass Destruction*, NSPD-17/HSPD 4 (Dec. 2002) [unclassified version] (describing the U.S. strategy utilizing counter-proliferation, non-proliferation, and consequence management to address the threat of use of Weapons of Mass Destruction (WMD) against the United States and its friends and allies).

from the federal draft laws.<sup>47</sup> De Lancey wrote, “[I]t is contrary to their consciences as officers of Christ’s kingdom to bear arms as soldiers and shed blood.”<sup>48</sup> Continuing with the letter, De Lancey reminded Lincoln that in the garden of Gethsemane on the occasion of his arrest, Christ told Peter that “[t]hey that take the sword shall perish with the sword.”<sup>49</sup> Of course, in making his case, the bishop rejected the more sensible view that this passage refers to the societal consequences of criminal behavior, i.e., criminals will be lawfully executed by the State for their crimes, and not the lawful use of force in combat activities.

Closer in time, a sampling of remarks during the Global War on Terrorism is all that is necessary to address the theme of those who call for peace at any price, with little or no regard for the long-standing norms and rules associated with the lawful use of force.<sup>50</sup> In her 2006 book, *The Mighty and the Almighty*, even the liberal-minded Madeleine Albright opposed the voices of appeasement that protested the pending military campaign against the Taliban regime in Afghanistan following the attacks of 9/11.<sup>51</sup> Not only did she disagree with the official 2001 call by the World Council of Churches not to strike back against the terrorists, but she also questioned the soundness of prizewinning author Alice Walker’s naïve admonishment that “the only punishment that works is love.”<sup>52</sup>

In November of 2002, as the United States and its coalition of the willing were gearing up to expand the Global War on Terrorism to Iraq, over 70 religious leaders in the United States and the United Kingdom issued a joint statement that condemned the contemplated use of what they termed “preemptive war”<sup>53</sup> against the regime of Saddam Hussein. Recognizing that the Iraqi government had a duty to “stop its internal repression, to end its threats to peace, to abandon its efforts to develop weapons of mass destruction, and to respect the legitimate role of the United Nations in ensuring that it does so,”<sup>54</sup> the religious leaders nevertheless insisted that as “Christians”<sup>55</sup> they were certain that the United States, Britain and the

47. Russell S. Bonds, *Pawn Takes Bishop*, CIVIL WAR TIMES, May 2006, at 53.

48. *Id.*

49. *Id.*; Matthew 26:52 (“Then said Jesus unto him, Put up again thy sword into his place: for all they that take the sword shall perish with the sword.”).

50. See U.N. Charter art. 51. The analytical framework for the use of force is found in Article 51 of the U.N. Charter, which codifies the “inherent right of self-defense.” The inherent right of self-defense refers to the right of a country to unilaterally engage in acts of self-defense; regardless of what any other nation or organization, to include the United Nations, may or may not do. This is a well-known and ancient component of international law. “Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures to maintain international peace and security. Measures taken by Members in the exercise of the right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.” *Id.*

51. ALBRIGHT, *supra* note 6, at 150.

52. *Id.* at 150-151.

53. U.S. and U.K. Statement, *Disarm Iraq Without War: A Statement from Religious Leaders in the United States and United Kingdom*, Sojourners (Nov. 26, 2002) (on file with author) [hereinafter Sojourners Statement]. Sojourners is a Christian ministry guided by an interpretation of biblical principles of justice, mercy and humility to preach, educate, and sustain the community by integrating spiritual renewal and social justice.

54. *Id.*

55. *Id.*



international community could only employ the tools of “moral principles, political wisdom, and international law” to confront Saddam.<sup>56</sup> In their statement, the religious leaders stated that “As Christians, we seek to be guided by the vision of a world in which nations do not attempt to resolve international problems by making war on other nations. It is a long held Christian principle that all governments and citizens are obliged to work for the avoidance of war.”<sup>57</sup>

In closing the statement, the group quoted the familiar Biblical passage “nation shall not lift up sword against nation,”<sup>58</sup> which, although very popular in anti-war circles, is grossly distorted from its proper scriptural context. The passage clearly deals with eschatological teachings about the future and not the current world we reside in. They wrote, “We reaffirm our religious hope for a world in which ‘nation shall not lift up sword against nation.’ We pray that our governments will be guided by moral principles, political wisdom, and legal standards, and will step back from their calls for war.”<sup>59</sup>

Similarly, in late 2002, the president of the United Methodist Council of Bishops wrote a pastoral letter to the United Methodist congregation, of which President Bush and Vice President Cheney are both members, stating that “war by the United States against a nation like Iraq goes against the very grain of our understanding of the gospel, our church’s teachings, and our conscience.”<sup>60</sup>

With the defeat of Saddam Hussein and the end of the international armed conflict with Iraq in May 2003, the situation turned into a more deadly phase of combat activities against a variety of criminal groups, al-Qa’eda-styled terrorists, and Saddam loyalists. Nevertheless, the theme of religiously-based anti-war activists

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56. *Id.*

57. *Id.*

58. *Id.*; see also Isaiah 2:2-4 (“And it shall come to pass in the *last days* that the mountain of the Lord’s house shall be established in the top of the mountains, and shall be exalted above the hills; and all nations shall flow unto it. And many people shall go to the mountain of the Lord, to the house of the God of Jacob; and he will teach us of his ways, and we will walk in his paths: for out of Zion shall go forth the law, and the word of the Lord from Jerusalem. And he shall judge among the nations, and shall rebuke many people: and they shall beat their swords into plowshares, and their spears into pruning hooks: *nation shall not lift up sword against nation, neither shall they learn war no more.*”) (emphasis added).

59. Sojourners Statement, *supra* note 53.

60. Letter from Sharon A. Brown Christopher, President, United Methodist Council of Bishops, to 8.4 million United Methodists in the United States (Oct. 4, 2002) (on file with Global Ministries: United Methodist Church) (commending President Bush for calling on the United Nations to deal with Saddam Hussein and his violations of human rights and international agreements and treaties, but urging that the use of preemptive force is not the proper method to take in further addressing the situation). Christopher called for the millions of United Methodists to call, write and pray for the world’s leaders in making awesome decisions in hard times. Christopher’s letter called on United Methodist members President Bush and Vice President Cheney to turn to the will of God and the peaceful teachings of Jesus Christ for guidance as they face decisions about life and death and war and peace. *Id.* See also John Nuessle, Council of Bishops Issue Pastoral Letter on Iraq Situation, General Board of Global Ministries, The United Methodist Church (Oct. 11, 2002), [http://gbgm-umc.org/global\\_news/full\\_article.cfm?articleid=1193](http://gbgm-umc.org/global_news/full_article.cfm?articleid=1193) (last visited Nov. 20, 2006) (noting that the Pastoral Letter was addressed to 8.4 million United Methodists in the United States and distributed to sixty-four million United Methodists around the world with a request that it be read to congregations worldwide). See also Willy Thorn, *U.S. Bishops Oppose Pre-Emptive Strike Against Iraq*, CATHOLIC NEWS SERV., Sept. 19, 2002, available at [www.catholicherald.com/cns/iraq-us.htm](http://www.catholicherald.com/cns/iraq-us.htm) (discussing Bishop Christopher’s pastoral letter and the Catholic response to the letter).

remains the same. When Reverend Al Sharpton<sup>61</sup> met anti-war activist Cindy Sheehan<sup>62</sup> at an interfaith service on Sunday, August 28, 2005, outside of Crawford, Texas, he did so based on his "moral obligation" to oppose the war.<sup>63</sup> He was joined by actor Martin Sheen who presented Ms. Sheehan with a rosary "in recognition of the Catholic faith" of her son who was killed in Iraq in 2004.<sup>64</sup> In March of 2003, two well-known bishops and one church official were among sixty-five people arrested during an anti-war protest near the White House.<sup>65</sup> United Methodist Bishop Joseph Sprague; Jim Winkler, the general secretary of the United Methodist Board of Church and Society; and Roman Catholic Bishop Thomas Gumbleton of Detroit were included among those arrested.<sup>66</sup> Winkler said that his religious board had "stated that the war is wrong."<sup>67</sup>

After receiving the 2002 Nobel Peace Prize in Oslo, Norway, former President Jimmy Carter concluded his December 10, 2002, remarks by asserting that God gives mankind the capacity for choice and that war is always an evil, even when necessary, and "never a good."<sup>68</sup>

War may sometimes be a necessary evil. But no matter how necessary, it is always an evil, never a good. We will not learn to live together in peace by killing each other's children. The bond of our

61. Bob Edwards, *Interview with Reverend Al Sharpton*, (National Public Radio broadcast June 13, 2003), available at [http://www.npr.org/programs/specials/democrats2004/transcripts/sharpton\\_trans.html](http://www.npr.org/programs/specials/democrats2004/transcripts/sharpton_trans.html) (reporting Reverend Al Sharpton's indication that he was ordained as a Pentecostal minister in the Church of God in Christ at age nine and later became a Baptist minister).

62. Cindy Sheehan is an anti-war activist who founded the Gold Star Families for Peace—an organization made up of Americans whose loved ones were killed in wars—after her son, Army Specialist Casey A. Sheehan, died in action in Sadr City, Baghdad, Iraq, on April 4, 2004. The most notable protest against the Iraq War conducted by Ms. Sheehan began in August 2005 when she established the sparsely attended Camp Casey peace movement near President George W. Bush's Texas ranch. See Amanda Ripley, *A Mother and the President*, TIME, Aug. 22, 2005, at 22.

63. Sam Coates, *Sharpton Adds Voice to Antiwar Protest*, WASH. POST, Aug. 29, 2005, at A4. Reverend Al Sharpton visited Cindy Sheehan in President Bush's hometown of Crawford, Texas, to offer his support to Sheehan's antiwar cause, stating, "I come here today because I feel that it is our moral obligation to stand and to be courageous with these families and in particular Cindy," and calling Sheehan "'the conscience' of the nation." *Id.*

64. *Id.* Sheen, noted for his role as President of the United States in NBC's "The West Wing," commented about his support for Sheehan's antiwar cause and stated, "I think you know what I do for a living, but this is what I do to stay alive." Ruth Rosen, *Lesson in Democracy*, SAN FRANCISCO CHRON., Jan. 23, 2003, at A21. See also Carl Campanile, *Rev. Al Will Join GI Ma in Anti-War Texas Vigil*, N.Y. POST, Aug. 26, 2005, at 10.

65. Fred Jackson & Jody Brown, *Arrest of Anti-War Methodist Leaders Called 'Embarrassment' for Denomination: Bishop, others from 'Radical Fringe' Protest Near White House*, AGAPE PRESS, Mar. 28, 2003, available at <http://headlines.agapepress.org/archives/3/282003a.asp> (explaining that Mark Tooley, Director of the United Methodist committee at the Institute on Religion and Democracy in Washington, D.C., expressed that the arrest of senior and visible church officials was an embarrassment for the denomination); see also Debbie Wilgoren, *Peaceful Protest Ends in Peaceful Arrest: Nobel Winners Among 68 Detained Activists*, WASH. POST, Mar. 27, 2003, at B1.

66. Jackson & Brown, *supra* note 65.

67. *Id.*

68. Jimmy Carter, Former U.S. President, Nobel Lecture, Oslo, Norway (Dec. 10, 2002), [http://nobelprize.org/nobel\\_prizes/peace/laureates//2002/carter-lecture.html](http://nobelprize.org/nobel_prizes/peace/laureates//2002/carter-lecture.html) (last visited Nov. 27, 2006). Accepting the Nobel Peace Prize, Former President Jimmy Carter discussed his various roles in working toward global stability and the changes the world has seen since his term in office. Carter expressed belief that the various religions of the world embrace a common effort to eliminate human suffering and to advocate peace even though we are reminded daily that 'distorted theological beliefs' give rise to massacre and murder throughout the world. Carter closed his speech by reminding the audience that war is sometimes a necessary evil. *Id.*

common humanity is stronger than the divisiveness of our fears and prejudices. God gives us the capacity for choice. We can choose to alleviate suffering. We can choose to work together for peace. We can make these changes—and we must.<sup>69</sup>

While many leading religious leaders have issued statements condemning the use of force in both Iraq and Afghanistan, the majority of Christians prior to the war in Iraq supported the use of force.<sup>70</sup> For example, the sixteen-million-strong Southern Baptist Convention, the largest denomination in America (made up of Southern conservatives),<sup>71</sup> sent a letter to President Bush “assuring him that the Iraqi threat satisfied the conditions of a ‘just war.’”<sup>72</sup> In addition, George Weigel, a biographer of Pope John Paul II as well as a leading Catholic commentator and Senior Fellow of the Ethics and Public Policy Center, also believed that the 2003 war against Iraq was justified.

In the case of Iraq, the crucial issue in the moral analysis is what we mean by an “aggression under way.” When a vicious regime that has not hesitated to use chemical weapons against its own people and against a neighboring country, a regime that has no concept of the rule of law and that flagrantly violates its international obligations, works feverishly to obtain and deploy further weapons of mass destruction, I think a compelling moral case can be made that this is a matter of an “aggression under way.” The nature of the regime, which is the crucial factor in the analysis, makes that plain. It surely makes no moral sense to say that the U.S. or the international community can only respond with armed force when an Iraqi missile carrying a weapon of mass destruction has been launched, or is being readied for launch. To be sure, there are serious questions of prudence to be addressed in thinking through the question of military action against the Iraqi regime. At the level of moral principle, however, it seems to me that there are, in fact, instances where it is not only right to “go first,” but “going first” may even be morally obligatory. And I think this may well be one of those instances.<sup>73</sup>

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69. *Id.*

70. Alan Elsner, *Christian Leaders Prominent in Anti-War Movement*, REUTERS, Feb. 8, 2003, <http://www.commondreams.org/headlines03/0208-07.htm> (last visited Nov. 27, 2006).

71. About Us—Meet Southern Baptists, <http://www.sbc.net/aboutus/default.asp> (last visited July 6, 2006) (explaining the purpose, mission, and size of the Southern Baptist Convention).

72. Elsner, *supra* note 70.

73. *George Weigel on Pre-Emption, Just War and the Defense of World Order*, ZENIT, Sept. 22, 2002, <http://www.ewtn.com/library/issues/zpreempt.htm> (last visited Nov. 6, 2006) (reporting an interview by Zenit Daily Dispatch with George Weigel, a biographer of Pope John Paul II, a leading Catholic commentator, and Senior Fellow of the Ethics and Public Policy Center in Washington, D.C., discussing the Catholic moral teaching regarding what many claimed to be a pre-emptive strike in Iraq and the Catholic views of just war theory).



Weigel also criticized other “clerical opponents of war . . . [as giving] themselves over to a functional pacifism, a conviction that there are virtually no circumstances in which the proportionate and discriminate use of armed force can serve the goals of peace, order, justice and freedom.”<sup>74</sup> Indeed, some of the more extreme pacifists go so far as to blame the “Christian God”<sup>75</sup> and President Bush as instigating an “American Inquisition”<sup>76</sup> in the War on Terror.

For committed pacifists, there simply should be no relationship between religion and warfare. Their interpretation of religion prohibits all forms of violence whatsoever. Further, they steadfastly oppose people who invoke God to justify violence in self defense. While one can certainly agree with the utopian idea that war, crime, poverty, and a whole host of evils should not exist in the world, it is a fact that they do. When asked by his disciples what signs would signal His second coming to the world, Jesus Christ himself declared that wars would continue to be a part of the landscape until His return: “And you will be hearing of wars and rumors of wars; see that you are not frightened, for those things must take place, but that is not yet the end.”<sup>77</sup> To some, pacifism is a fundamental aspect of being a Christian. Nevertheless, to use the Bible to justify an uncompromising belief in pacifism requires one to distort, ignore, or otherwise explain away vast areas of scripture that speaks approvingly of specific instances where violence is justified and necessary to protect various values and objects. Jesus Christ himself engaged in violence<sup>78</sup> and would be considered by religious pacifists as quite “anti-Christian” in his dealings with the religious leaders and legalists of the day—calling them, among other things, “of your father the Devil.”<sup>79</sup>

A fair understanding of the Bible does not support the human viewpoint expressed by the religious anti-war activist. In AD 425, Augustine, the Bishop of Hippo, strongly affirmed the idea that the Bible does not prohibit or condemn a Christian from engaging in combat on the battlefield. In a letter to a Roman Christian named Boniface, Augustine told him to fight the invading tribes called the Vandals because “[w]ar is waged in order that peace may be obtained.”<sup>80</sup> As stated in *Ecclesiastes*, and echoed throughout the Bible, in the affairs of mankind, there is clearly “[a] time for war, and a time for peace.”<sup>81</sup> The hope is that when a Christian goes to war, he will be militarily prepared, per *Psalms* 144:1— “[God] teach

74. Elsner, *supra* note 70.

75. James Reston, Jr., *The American Inquisition*, USA TODAY, April 18, 2006, at 13A. “It is not surprising that a leader who believes that his Christian God chose him to be president at this moment in history and that his Almighty speaks directly to him, should preside over this American Inquisition. Bush’s messianic bent came to light vividly in June 2003, when he announced that his God had inspired him to go fight those terrorists and to end the tyranny in Iraq.” *Id.*

76. *Id.*

77. *Matthew* 24:6

78. See, e.g., *John* 2:13-16 (describing Jesus making a whip and then using it on the religious money changers at the temple).

79. *John* 8:44a (“You are of your father the devil, and the lusts of your father you will do.”).

80. Letter from St. Augustine to Boniface (AD 418), in 1 NICENE AND POST-NICENE FATHERS OF THE CHRISTIAN CHURCH 553-554 (Philip Schaff, ed., 1983).

81. *Ecclesiastes* 3:3, 8b.

my hands to war and my fingers to fight”<sup>82</sup>—and that the national leadership will heed *Proverbs* 20:18, by choosing to “make war by wise guidance.”<sup>83</sup>

#### IV. RELIGION

What is [the] truth?<sup>84</sup>

Like many words, the term “religion” is subject to a variety of meanings. The most ordinary and natural meaning would mean “[b]elief in and reverence for a supernatural power or powers regarded as creator and governor of the universe.”<sup>85</sup> But it also means “[a] set of beliefs, values, and practices based on the teachings of a spiritual leader.”<sup>86</sup> Interestingly, however, a generalized comparative study of the world’s major religions reveals that one can actually subdivide the term into two categories—“works-religion” and “grace-religion.”<sup>87</sup>

Each day, around the world, there are those who begin and end their day by turning to the “sacred” writings of their religious traditions for comfort and guidance, understanding and enlightenment. In the brief sojourn of mankind, seven major world religions have arisen and set out their beliefs in writing. These works are Hinduism’s *Bhagavad Gita*, Judaism’s *Tanakh*, Confucianism’s *Analects*, Taoism’s *Tao Te Ching*, Buddhism’s *Dhammapada*, Christianity’s *New Testament* and Islam’s *Koran*.<sup>88</sup>

Religious books are not texts for the study of life sciences, but rather books that claim to be about God and His plan and purpose for mankind. In this regard, Hindus, Jews, Confucians, Taoists, Buddhists, Christians, and Muslims each claim that their book best reveals God(s) and offers the better—or, in some cases, the only—answer to the meaning of life. Such being the case, critics ask how it is possible to know which religion, if any, is correct. This, of course, sums up the real intellectual challenge associated with religion and raises the most profound question one can ask: ‘What is the truth?’

Surprisingly, a predominating factor one encounters in studying this matter revolves around an astonishing amount of apathy; most people simply have no desire to challenge themselves to even frame the question: which religion is true? Content to incorporate as their own whatever religious belief system they were born into—no matter how illogical or ill-conceived—independent thinking and reasoning have little, if anything, to do with how the mass of humanity comes to person-

82. *Psalms* 144:1 (“Blessed be the Lord my strength, which teacheth my hands to war, and my fingers to fight.”).

83. *Proverbs* 20:18.

84. *John* 18:38 (“Pilate saith unto him [Jesus], What is truth? And when he had said this, he went out again to the Jews, and saith unto them, I find no fault at all.”). Pontius Pilate was the Roman Procurator of Judea, AD 26-36.

85. AMERICAN HERITAGE COLLEGE DICTIONARY 1153 (3d ed. 1997).

86. *Id.*

87. See *infra* Conclusion.

88. See generally HUSTON SMITH, THE ILLUSTRATED WORLD RELIGIONS 215 (1994).

alize a religious belief. For instance, you are a Hindu for no other reason except that your parents were Hindus.

Still, people have free will, and in each generation, there are those who find this follow-the-leader approach to religion wholly unsatisfactory. These are the truth seekers: men and women who base their personal religious beliefs not on the happenstance of their cultural birthright or other environmental factors (such as conversion due to marriage), but on a foundation stone which evaluates the full range of religious options and then makes an informed decision. Many would argue that for someone deeply concerned with truth, there is absolutely no subject more important to which the human mind can address itself. Unlike the infamous Pontius Pilate who disingenuously asked, "What is [the] truth?" and then refused to intellectually consider the answer, the truth-seeker is not discouraged by the fact that various world religions compete for consideration. Of necessity, truth should encourage honest scrutiny.

So what can be said about the origin of religion? As long as humans have looked out into the night sky, it seems apparent that some have set aside the obvious social and cultural forces associated with religion and given a great deal of careful thought about what constitutes the nature of God. Accordingly, if one accepts the premise that God exists, it is entirely reasonable to assume two points. First, God makes sense. And second, He purposefully reveals Himself in a sensible fashion, in the language and culture of the particular time frame in which any human resides, to those individuals who desire to know Him.

Unfortunately, from a historical perspective, much of this God-directed activity towards people is difficult to chronicle, as the vast majority of the human experience *vis-à-vis* God has been based on oral traditions, leaving few traces of record. We can only say with certainty that archeological evidence associated with some of the earliest human sites unequivocally demonstrates that humans have always held some kind of belief in an afterlife.<sup>89</sup> Therefore, meaningful information about God's revelations can only be found in the historic period of Man's sojourn, when people developed writing. This era did not begin until a mere 5,000 years ago in the Euphrates River valley. Since that time, seven major religions have emerged, each leaving written records to stand for consideration.

Anyone who has taken the time to engage in the study of comparative religion realizes that it is impossible to catalogue all the many variations and sub-groupings that reside in each of the major religions. Nevertheless, certain broad generalities can be drawn. Thus, apart from all the things that can be said about Hinduism, Buddhism, Confucianism, Taoism, Islam, Judaism, or Christianity, when one boils each of them down to their bottom lines—to their basic beliefs—there emerge four central themes that are shared as base commonalities:

- (1) All agree that the nature of each human either is or becomes tainted. Man is a morally flawed creature relative to God(s).
- (2) All share a moral code that reflects similar, if not identical, values for human behavior, e.g., all religions dictate that one should not murder, steal,

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89. See generally JOHN H. TAYLOR, DEATH AND THE AFTERLIFE IN ANCIENT EGYPT (2001).



lie, and so on. For all practical purposes, the basic moral laws for how all members of any religion should behave are identical to the moral and ethical laws found in all other major religions and, for that matter, in any significant human social structure. It is a fundamental commonality that all religions prohibit the evils of murder, larceny, lying, brawling, and hatred, while encouraging love, self-control, self-discipline, charity and helping the less fortunate.

- (3) All share a system of rituals designed to assist the adherent in some fashion associated with the belief system.
- (4) All proclaim that the primary goal of the religion is for the human soul to obtain eternal union with God(s) or a sublime force in the afterlife.

The real issue that sharply and forever divides the major religions rests in the mechanics of how one fulfills the goal of obtaining this relationship with God under the four commonalities above. In this regard, there are two, and only two, diametrically opposed answers to how this is achieved—(1) by a system of human merit, or (2) through a system of grace. Those religions that teach that the mechanics by which Man achieves eternal union are via human effort or works (morality coupled with the performance of various rituals) are properly termed works-religions. All religions except Christianity fall into the camp of works-religion. In contrast, biblical Christianity rejects the concept that Man can achieve a relationship with God based on any system of morality, ritual, or human effort. Christianity holds that relationship with God is automatically and irrevocably achieved when one accepts the work of Jesus Christ on the cross by a simple act of faith.<sup>90</sup>

### A. Hinduism

Hinduism was already an old religion when the battle-scarred armies of Alexander the Great (356-323 BC) set foot in India in the fourth century BC.<sup>91</sup> The first teachings of this religion were written in the ancient Sanskrit by unknown authors perhaps as far back as 2000 BC.<sup>92</sup> The four primary books in the Hindu religion are called the *Vedas*.<sup>93</sup> The best-known of these Hindu writings are the *Song of the Bhagavad Gita*<sup>94</sup> and the *Rig-veda*.<sup>95</sup>

90. See *infra* Section IV.G.

91. See ARRIAN, THE CAMPAIGNS OF ALEXANDER at 258-294 (Aubrey De Selincourt trans., Penguin 1976) (n.d.) (chronicling Alexander's entry into and exploits in the Indus valley).

92. The *Vedas* were originally transmitted orally and there is some controversy as to when they were committed to writing. See LEWIS M. HOPFE, RELIGIONS OF THE WORLD 87 (1987) (dating the *Vedas* somewhere between 2000 and 400 BC).

93. See *id.* (referring to the *Vedas* as the basic scripture of Hinduism). But see generally STEVEN J. ROSEN, 6 INTRODUCTION TO THE WORLD'S MAJOR RELIGIONS: HINDUISM (2006) (asserting that the *Vedas* are no longer in common usage and that most Hindus do not know what they contain).

94. See HOPFE, *supra* note 92, at 99 (comparing the cultural and religious significance of the *Bhagavad-Gita* in Hinduism to the classical epic poems of Homer).

95. See ROSEN, *supra* note 93, at 7 (translating *veda* as "ritual"). But see HOPFE, *supra* note 92, at 87 (translating *veda* as either "knowledge" or "sacred lore").

The Hindu religion is a polytheistic belief and contains an elaborate pantheon of greater and lesser gods represented in innumerable forms.<sup>96</sup> The principal Hindu gods are Shiva, Agni, Indra, Brahma, Durga, Kali and Vishnu.<sup>97</sup> Vishnu is a particularly active god, seen in various incarnations as Rama or Krishna (and in some sects even as Buddha), who will be reincarnated in the future as Kalki.<sup>98</sup> In addition to the primary Hindu gods, hundreds of lesser gods are tailored for specific purposes. For example, Ganesh, represented in the form of an elephant's head, is good for business; Sarasvati is good for learning; Lakahmi is good for luck; and so on. In short, each lesser god is good for a particular need. In tandem with the gods, Hindus also worship as holy a large assortment of animals, from snakes to cattle, which are believed to be representatives of certain gods. Finally, engulfing all of the boundless varieties of Hindu gods, there exists an infinite and eternal force called *moksha* that is tied to reincarnation and to the final state of the human soul.<sup>99</sup>

A central belief in Hinduism is reincarnation or the transmigration of souls.<sup>100</sup> The process of reincarnation deals directly with the human soul and how it achieves its ultimate state. Hindus believe that individual souls (*jives*) enter the world at the subhuman level and then pass through a sequence of increasingly complex animal types until a human body is attained.<sup>101</sup> Once in the human form, the soul goes from body to body, progressively advancing in awareness and morality (as if on an escalator of sorts) until it reaches a supreme and eternal condition.<sup>102</sup>

Directly linked to the reincarnation escalator is the concept of *karma*. *Karma* literally means "work," and stands for the proposition that whatever moral acts an individual does during his life will come back to him in equal measure.<sup>103</sup> That is, if you perform an evil act, a corresponding act of evil will be done to you at some time in the future, just as good will be repaid by good.<sup>104</sup> For the Hindu, the moral law of *karma* cannot be avoided, ever. Each action chosen by the individual during his life will have an exacting effect, both on his current life and in the next reincarnation. Depending on one's moral behavior in any particular life span, the soul is reborn into a higher or lower level of happiness, awareness and fulfillment.<sup>105</sup> Thus, under *karma*, the evil soul can be bounced back into the animal kingdom where it must start all over again in its climb forward. The only time the law of

96. While Hinduism is widely regarded as a polytheistic religion, some scholars assert that the many gods are actually just a multitude of faces on a single god. See ROSEN, *supra* note 93, at 7 (asserting that the sages of the *Rig-Veda* were clear that the many Gods were in fact one). See also HOPFE, *supra* note 92, at 104-05 (stating that Brahman was "one and undivided," yet seen in three forms: Brahma, the creator, Vishnu, the preserver, and Shiva, the destroyer).

97. See Raymond Hammer, *Approaches to Truth: The Great Interpreters*, in EERDMAN'S HANDBOOK TO THE WORLD'S RELIGIONS 183, 184 (1994).

98. See ROSEN, *supra* note 93, at 39-42 (detailing the ten major forms of Vishnu and asserting that the multiple forms of Vishnu provide one of the reasons that people see Hinduism as a polytheistic religion).

99. See *id.* at 64 (describing *moksha* as liberation or merging of the spiritual energy of the universe).

100. *Id.* at 24.

101. HOPFE, *supra* note 92, at 96 (showing the progression of the soul evidenced in the *Code of Manu*).

102. ROSEN, *supra* note 93, at 25.

103. Hammer, *supra* note 97, at 190.

104. ROSEN, *supra* note 93, at 24-25.

105. *Id.* at 25.

*karma* is abated is when the soul is not in the human body; animals are not held accountable. Once the soul enters a human body—when it is fully operational, possessing all the attributes of mentality, emotion, self-awareness, conscience, and volition—it is held personally accountable.

The all-encompassing goal of the Hindu is to ride the reincarnation escalator to the very top. To assist those individuals who wish to accelerate this climb, Hinduism designates four primary paths. Each of these paths is traversed through the function of *yoga*.<sup>106</sup> *Jnana yoga* is not the accumulation of factual knowledge, but of intuitive knowledge of the self and others.<sup>107</sup> The second path is through love, *bhakti yoga*.<sup>108</sup> This type of love is directed solely at the gods and is expressed in rituals which provide for such activities as chanting the name of various gods, bathing and feeding idols of the gods, conducting pilgrimages for the gods, and other similar actions. In practicing *bhakti yoga*, the devotee usually selects only one of the hundreds of Hindu gods to shower with individual worship. This individualized god is said to be an *ishta*. The third path is through work, *karma yoga*.<sup>109</sup> Under *karma yoga*, the very profession one works at is performed in a god-oriented manner. All things done in the workplace are done not for self, family, or community, but for the gods. The final path is called *raja* or *dhyana yoga*.<sup>110</sup> *Raja yoga* is the practice of complete meditation where one engages in psychophysical exercises of the body and mind.<sup>111</sup> The devotee enters several levels of meditation, including attempts to understand past incarnations of the soul.

In summary, by observing the moral codes and rituals, the Hindu hopes to end the reincarnation process by achieving the necessary moral level required for his soul to pass into a complete identification with the gods where it is said to lose all, or almost all, identity of self. This is the sublime. The soul happily unites forever with the mysterious force of *moksha*.

## B. Buddhism

Buddhism is based on the teachings of Siddhartha Gautama (circa 560-483 BC),<sup>112</sup> who was born in what is now Nepal. Siddhartha was the son of a wealthy Hindu chief who lived a life of great privilege under the watchful eye of his father.<sup>113</sup> At about the age of 29, however, Siddhartha became dissatisfied with his life of comfort.<sup>114</sup> He abandoned his wife and son, walked away from his life of

106. See HOPFE, *supra* note 92, at 108-09 (tracing the origin of the word *yoga* to the root *yuj*, meaning "to join," and asserting that *yoga*'s goal is to join an individual's spirit to the Gods').

107. THE PENGUIN DICTIONARY OF RELIGIONS 174 (1984).

108. *Id.* at 63.

109. *Id.* at 181.

110. *Id.* at 107.

111. HOPFE, *supra* note 92, at 109.

112. Compare JOHN M. THOMPSON, INTRODUCTION TO THE WORLD'S MAJOR RELIGIONS: BUDDHISM, at xiv (2006) (dating Siddhartha's death at 483 BC) with HOPFE, *supra* note 92, at 146 (dating Siddhartha's death at 480 BC).

113. HOPFE, *supra* note 92, at 146.

114. THOMPSON, *supra* note 112, at 4-5.



wealth and began a spiritual quest in search of the meaning of life or, as he put it, to become "enlightened."<sup>115</sup>

Siddhartha first studied under *yogis* (teachers) from various philosophical schools in India, but was not satisfied with the intellectual knowledge he acquired.<sup>116</sup> Next, he joined a group of five ascetics and engaged in the practice of various acts of physical self-deprivation in order to overcome suffering.<sup>117</sup> However, asceticism also failed to satisfy him. Finding that both endeavors failed to provide the enlightenment he sought, Siddhartha made a bed of grass under a *bodhi* tree, determined to meditate his way to enlightenment.<sup>118</sup>

After several weeks of meditation, Siddhartha decided that he had finally achieved "full enlightenment."<sup>119</sup> He adopted the title of the "Buddha," which means "I am awake."<sup>120</sup> Returning to the five ascetics he had practiced with, the Buddha founded an order of monks based on his teachings which are encapsulated in the "Four Noble Truths."<sup>121</sup> After a ministry of forty-five years to his fellow Indians, the Buddha died in the year 483 BC.<sup>122</sup> Although his oral teachings served to create an entirely new religion, it was the emperor of India, Asoka, that provided for Buddhism's greatest expansion.<sup>123</sup> In approximately 297 BC, Asoka converted to Buddhism and sent missionaries across Asia and the Near East.<sup>124</sup>

The great paradox of Buddhism, as it is practiced, is that the religious beliefs that solidified after Siddhartha's death bear little resemblance to the original oral teachings of the Buddha. In fact, almost every major tenant of Buddhism has an identical parallel in the Hindu religion, a belief system that Siddhartha flatly rejected.<sup>125</sup> For instance, the Buddha did not believe that there existed personal god(s); did not claim to be a god himself, or anything other than a mortal human; openly scorned all forms of ritual, to include the worship of images and idols; and seemed to favor the idea that the human soul did not exist.<sup>126</sup>

The religion Buddhism, however, elevated Siddhartha to the status of a god;<sup>127</sup> created uncountable idol images of the Buddha for the faithful to worship; instituted a whole system of rituals;<sup>128</sup> and fell back into many of the other basic tenets

115. HOPFE, *supra* note 92, at 147.

116. *Id.*

117. JOHN SNELLING, *THE BUDDHIST HANDBOOK: A COMPLETE GUIDE TO BUDDHIST SCHOOLS, TEACHING, PRACTICE, AND HISTORY* 20 (1991).

118. *Id.* at 22.

119. THOMPSON, *supra* note 112, at 6.

120. Compare THOMPSON, *supra* note 112, at 43 (translating "Buddha" as "awake"), with HOPFE, *supra* note 92, at 146 (translating "Buddha" to mean "Enlightened One") and SNELLING, *supra* note 117, at 20 (translating "Buddha" as "The Awakened One").

121. THOMPSON, *supra* note 112, at 49.

122. See *infra* note 131 and accompanying text.

123. HOPFE, *supra* note 92, at 154.

124. *Id.*

125. See HOPFE, *supra* note 92, at 151 (asserting that the Buddha rejected the authority of the *Vedas* and the Brahmin system of animal sacrifice).

126. *Id.*

127. *Id.* at 156-57.

128. *Id.* at 158.

of Hinduism, to include stronger-than-ever affirmations about the reincarnation of the soul and the concept of *karma*.

Apart from a fundamental requirement for the adherent to practice the highest degree of personal morality set out in the Four Noble Truths, the only core teaching of Siddhartha that remains intact in the Buddhist religion is the goal to reach a state of ultimate being called *nirvana*, which literally means "to extinguish," or "nothingness."<sup>129</sup> However, because Siddhartha was rather vague as to what *nirvana* actually entailed, there exists even to this day a great deal of debate over the concept.<sup>130</sup> Apparently, the Buddha taught that *nirvana* was a state of complete cessation of desire and of the individual's personality, although many Buddhists have taken a more expanded view of the term. At a minimum, it is often said by Buddhists that to reach *nirvana* is to be at "one with the universe," to be freed—as under the Hindu goal—from rebirth. In the extreme view, then, *nirvana* is a final and ultimate death, like a flame going out.

*Nirvana* itself is achieved through a set formula established by the Buddha in the Four Noble Truths:

- (1) Everything in the world is ill fare and suffering;
- (2) This ill fare is because of our craving for the lusts of the world which never seem to satisfy us (or, plainly put, everything in the individual is morally corrupt);
- (3) To remove this problem there is a way; and
- (4) The formula of the Noble Eightfold Path is the only method to remove this problem and lead the individual to *nirvana*.<sup>131</sup>

Continuing with the last part of the formula to attain *nirvana*, the Eightfold Path requires the devotee to perform the following eight things throughout his life:

- (1) Right Knowledge. One must acknowledge the validity of the Four Noble Truths.
- (2) Right Aspiration. In all actions the motive of the individual must be true.
- (3) Right Speech. The Buddhist must speak truthfully and abandon idle chatter, gossip, slander and tactlessness.
- (4) Right Behavior. The Buddhist must not murder, steal, lie, be unchaste, take drugs or drink intoxicants.
- (5) Right Livelihood. One must be engaged in appropriate labor. For example, the Buddhist must not (should not) be employed as a slave trader, prostitute, butcher, brewer, arms maker, tax collector, and such.
- (6) Right Effort. The Buddhist must avoid evil and always persist towards good.
- (7) Right Concentration. A person is said to be what he thinks; right thinking is critical to developing the self.

129. SNELLING, *supra* note 117, at 45.

130. *Id.* To illustrate the ambiguity, Snelling quotes Udana, VIII, 3: "Monks, there is an unborn, unoriginated, unmade and unconditioned. Were there not the unborn, unoriginated, unmade and unconditioned, there would be no escape from the born, originated, made and conditioned. Since there is the unborn, unoriginated, unmade and unconditioned, there is escape from the born, originated, made and conditioned." *Id.*

131. THOMPSON, *supra* note 112, at 49-50.

- (8) Right Absorption. As in Hinduism, one must meditate. In contrast, however, during Buddhist meditation the devotee is trying to reach a state of living release, a supreme clarity of consciousness.<sup>132</sup>

By adhering to the mandates of the Eightfold Path, the individual seeks to achieve liberation from the suffering of the world, and ultimately, even from his own "self."<sup>133</sup> This process, of course, plays out in reincarnation. Finally, Buddhism also plays host to a varied assortment of supernatural Buddhas-to-be.<sup>134</sup> These minor Buddhas are said to delay their own entry into *nirvana* in order to help the faithful as they progress through the reincarnation process toward *nirvana*.<sup>135</sup>

### C. Confucianism

Confucianism is a philosophical religion that sprang from the teachings of a man named Confucius or K'ung-fu-tzu (551-479 BC).<sup>136</sup> Confucius was born in what is now Shandong Province, China, and he served much of his adult life as a government official, a tutor and an advisor.<sup>137</sup> Confucius traveled extensively throughout the various provinces of China seeking followers for what he called his "Philosophy of Life."<sup>138</sup> After his death, his disciples collected Confucius' teachings in the *Analects*, the sacred scriptures of Confucianism.<sup>139</sup>

While Confucius wrote about heaven, he never really spelled out many specifics about god(s).<sup>140</sup> Heaven was the mysterious abode of the ancestors, *ti*, and was ruled by the supreme ancestor, *Shang Ti*. Although sacrifice to the inhabitants of heaven was a concrete way to secure earthly and eternal blessings, people also had to observe a strict code of ethical behavior in order to go to heaven.<sup>141</sup> The two went hand-in-hand.

132. *Id.*

133. JIM WILLIS, *THE RELIGION BOOK: PLACES, PROPHETS, SAINTS, AND SEERS* 82-83 (2004).

134. HOPFE, *supra* note 92, at 158.

135. *Id.*

136. *But see* YAO XINZHONG, *AN INTRODUCTION TO CONFUCIANISM* 18 (2001) ("In fact, what is meant by 'Confucianism' is more a tradition generally rooted in Chinese culture and nurtured by Confucius and Confucians rather than a new religion created, or a new system initiated, by Confucius himself alone.").

137. *Id.* at 16 ("About 2500 years ago a man was born to a once aristocratic family in a small state called Lu in East China."); *see also* JAMES JAKOB LISZKA, *MORAL COMPETENCE: AN INTEGRATED APPROACH TO THE STUDY OF ETHICS* 7 (1999) ("Confucius (551-479 B.C.), an itinerant teacher and successful government minister, is considered to be the greatest and most revered of the Chinese philosophers.").

138. *See* HEINER ROETZ, *CONFUCIAN ETHICS OF THE AXIAL AGE* 43 (1950) ("Already advanced in age he [Confucius] goes on a journey of nearly ten years traversing many of the city-states."); *see also* JOSEPH RUNZO & NANCY M. MARTIN, *ETHICS IN THE WORLD RELIGIONS* 333 (2001) ("Confucius devoted his life to re-establishing order through rectification of the individual and the state.").

139. *See* PETER SINGER, *A COMPANION TO ETHICS* 70 (1919) ("Confucius' disciples collected dialogues and exchanges that they remembered having with Confucius. These make up the aphorisms in the book known as *The Analects*."). *See generally* CONFUCIUS, *THE ANALECTS* (D.C. Lau trans., Penguin 1979) (n.d.) [hereinafter LAU, *THE ANALECTS*].

140. *See* LISZKA, *supra* note 137, at 7 ("His [Confucius'] focus was on humanistic rather than religious based morality.").

141. *See* LISZKA, *supra* note 137, at 7 ("He did not care to talk about spiritual beings or even about life after death. Instead, he believed that human beings can make the Way (Tao) great, not that the Way can make human beings great."). *See generally* TA HSUEH & CHUNG YUNG, *THE HIGHEST ORDER OF CULTIVATION AND ON THE PRACTICE OF THE MEAN* (Andrew Plaks trans., Penguin 2004) (n.d.).



For Confucius, there was a universal power that was on the side of right and, therefore, the spread of moral goodness was an inevitable cosmic demand.<sup>142</sup> To this end, Confucius believed that the evils in people and in society could be cured by proper ethical behavior.<sup>143</sup> In fact, during his lifetime, Confucius felt that if he could get enough rulers and kings to behave “properly,” then society could be reshaped, which, in turn, would quickly lead to the individual being reshaped.<sup>144</sup> And by behaving properly, Confucius meant simply what all religions preach: “While I do not wish others to impose on me, I also do not wish to impose on others.”<sup>145</sup>

In a nutshell, Confucius taught that the evil and sin in mankind could be best combated by right gentlemanly conduct.<sup>146</sup> For the Confucian, the good man is one who is always trying to become better.<sup>147</sup> Since there is no reincarnation process as in Hinduism or Buddhism, one’s place in the afterlife is determined by his actions during his single life on the Earth.

Confucius died around 479 BC, and his ideas spread very rapidly throughout China.<sup>148</sup> Confucius never claimed to be anything other than a human and, for the most part, the Confucianism religion has not attempted to make him out to be any-

142. See LISZKA, *supra* note 137, at 7. “His [Confucius] philosophy argued for the harmony of the perfect individual with a well ordered society. The perfect individual, the chuntzu, was a morally superior person who retained a certain nobility. This was distinct from the traditional idea of nobility by status and inheritance. The characteristic chun-tzu was jen, understood by Confucius to be something like the golden rule; wishing to establish his own character, he also establishes the character of others, and wishing to be prominent himself, he also helps others be prominent. Jen is expressed in terms of conscientiousness and altruism.” *Id.*

143. See ROETZ, *supra* note 138, at 34 (“It is the second great achievement of Confucius—at least he has a great part in it—to ethically sublimate originally social concepts (the outstanding example is *junzi*, the prince’s son, who now becomes the gentleman with character), and to enlarge the scope of moral responsibility to man as such.”).

144. See *id.* at 91-92 (“Political power is not there for its own sake. By the assurance of public welfare, it has to fulfill a social function, and the politician is (in Mengzi) under obligation to the natural moral destination of man. Thus politics is under the purview of utilitarian and moral standards. The exercise of power must imply social responsibility and moral exemplariness.”).

145. LAU, *THE ANALECTS*, *supra* note 139, at 78 (quoting chapter V, verse 12); *id.* at 135 (chapter XV, verse 24: “Do to no one what you would not want done to you.”); see also SINGER, *supra* note 139, at 72 (“What you do not desire, do not effect on others.”); LAU, *THE ANALECTS* 135 (“Do not impose on others what you yourself do not desire.”). Within the sayings of Confucius, we see the Golden Rule in its negative form enunciated several times. In LAU, *THE ANALECTS* at 71 (quoting chapter IV, verse 13), we read that when a disciple asked him for a guiding principle for all conduct, the master answered: “Is not mutual goodwill such a principle? What you do not want done to yourself, do not do to others.”

146. See generally CH’U CHAI & WINBERG CHAI, *CONFUCIANISM* (1974).

147. See RUNZO & MARTIN, *supra* note 138, at 334 (“Through civility, specifically finicality, one could repay the gifts of life both to one’s parents and ancestors and to the whole natural world. Through humaneness one could extend this sensibility to other humans and to all living things. In doing so, one became for fully human.”). “Humans, then, are given a heavenly endowed nature that joins them to the great triad of heaven, earth, and other humans. Though this is a gift of the universe from birth, it is understood as something to be realized over a lifetime. This realization occurs through the process of self-cultivation which is at the heart of Confucian moral and spiritual practice. This process of actualization is not abstract or otherworldly talk rather it is concerned with the process of becoming more fully human. The goal of our self-cultivation is to actualize and recognize the profound identity of ourselves with heaven, earth, and the myriad of things.” *Id.* at 341.

148. See XINZHONG, *supra* note 136, at 16 (“By the time he died at age seventy-three his teachings had spread throughout the state and beyond.”). Confucius died in 478 BC, in the seventy-fourth year of his life. See generally JENNIFER OLDSTONE-MOORE, *CONFUCIANISM* 10-22 (2002).

thing except a master teacher who believed that the path to heaven was via sincerely performed good deeds and ancestor worship.<sup>149</sup>

#### D. Taoism

Taoism was founded about a hundred years before Confucianism by a shadowy figure known in Chinese legend as the teacher Lao-Tzu.<sup>150</sup> *Tao* in Chinese means “the Way,”<sup>151</sup> and the writings are contained in the *Tao Te Ching* (“The Book of the Way”), which was probably not written until the third century BC.<sup>152</sup> With the rise of communism in twentieth century China, the followers of Tao have drastically dwindled in numbers.<sup>153</sup> On the other hand, part of the problem for the decline in followership probably rests in the fact that the basic tenets of Taoism are difficult to encapsulate.<sup>154</sup>

Taoism is a mystical belief that holds that Man is a mixture of good and evil, and that the universe is ruled by a series of forces called the “Way.” Ranging from activities of controlled sexual practices to controlled breathing, Taoists engage in a great number of rituals designed to tap into the forces of the Way.<sup>155</sup> Unfortunately, heaven, the gods, and the Way cannot be described—let alone fully defined—because Taoism believes that they are inscrutable.<sup>156</sup> Still, Taoism teaches

149. See LAU, *THE ANALECTS*, *supra* note 139, at 88 (quoting chapter VII, verse 21: “The topics the Master did not speak of were prodigies, force, disorder, and gods.”). *But see* OLDSTONE-MOORE, *supra* note 148, at 84-94 (comparing the ancient religion of China and Confucian texts reveals the emptiness of the assertion that Confucius was devoid of religious thought and feeling; he was religious after the manner of religious men of his age and land).

150. See JULIAN F. PAS, *HISTORICAL DICTIONARY OF TAOISM*, at xv (1998). Several alternative spellings exist, including Lao Tze, Lao Tsu, Lao Tse, Laozi, and Lao-tze.

151. GREAT LITERATURE OF THE EASTERN WORLD 24-29 (Ian P. McGreal ed., 1996). Because of its historical coexistence with the Confucian tradition, Taoism offered a non-mutually exclusive range of alternatives to Confucianism.

152. *Id.* Tradition has it that the book was written around 600 BC by a sage called Laozi, a record-keeper in the Emperor’s Court of the Zhou Dynasty. “A careful reading of the text, however, suggests that it is a compilation of maxims sharing similar themes.” The authenticity of the date of composition/compilation and the authorship are still debated. *Tao Te Ching*, Wikipedia, [http://en.wikipedia.org/wiki/Tao\\_Te\\_Ching](http://en.wikipedia.org/wiki/Tao_Te_Ching) (last visited Dec. 6, 2006).

153. See generally GREAT LITERATURE OF THE EASTERN WORLD, *supra* note 151, at 24-29; EMILY M. AHM, *RELIGION AND RITUAL IN CHINESE SOCIETY* 131-82 (1974). With the end of the Ch’ing Dynasty in 1911, state support for Taoism ended. Much of the Taoist heritage was destroyed during the following period of warlordism. After the communist victory in 1949, religious freedom was severely restricted. The population of several million monks was reduced to fewer than 50,000 by 1960. *Id.*

154. See generally EVA WONG, *THE SHAMBHALA GUIDE TO TAOISM* (1997) (illustrating the variety within Taoism). Much of the essence of Tao is in the art of *wu wei*, or action through inaction, a practice of minimal action, particularly in relation to violent action. *Id.*

155. See Nathan Sivin, *The Word ‘Taoist’ as a Source of Perplexity*, in 17 *HISTORY OF RELIGIONS* 303 (1978) (discussing the concept of “Taoism” and distinguishing historical Taoist tradition from other Asian and Western phenomena).

156. See D. HOWARD SMITH, *THE WISDOM OF THE TAOISTS* 5 (1980) (“The whole universe—gods, spirits, men, living creatures, even the inanimate fields, rocks, hills and streams—were all seen as part of an ever-changing process at the heart of which lay some principal of unity, so hidden and mysterious that its secrets could not be penetrated by human reason or intellect.”).

that human morality is a key factor in practicing the Way, appeasing the gods, and attaining a place in union with the Way when one dies.<sup>157</sup>

### E. Judaism

Measured against the tide of history, no other single people has had the impact on the world as have the Jews. By every known sociological law, they should never have survived over the centuries. And yet, Judaism is one of the first recorded monotheistic religions and one of the oldest faiths still followed. Located in a postage-stamp-sized nation measuring a mere 150 by 50 miles, the ancient Jews (Hebrews) not only survived for over 3,000 years as a people, but their religious beliefs formed the very cornerstone of Western civilization. The Hebrew Bible is the base for Christianity and Islam—"there is no major Western religion that does not owe its existence in some way to the Hebrew Bible."<sup>158</sup>

Although commentators like to trace Judaism's beginnings to Abraham, whom God called out of King Hammurabi's ancient metropolitan city of Ur around 1,900 BC to found the Jewish race, this is not really where Judaism begins. The Hebrew Bible makes it clear that God did not begin His revelations to mankind with Abraham, the first Jew. God has always revealed Himself to those humans who have wanted to know Him, starting with Adam and Eve, and extending throughout all of human history. Nevertheless, Abraham is a pivotal person in God's timely revelations to Man. God singled out Abraham as one of those humans who believed in Him and founded the new Jewish race in order to fully reveal and fulfill His plan for the redemption of Man.<sup>159</sup> The Jews were set apart by God to be His vehicle for divine revelation to the world.

Jews are often referred to as "the People of the Book."<sup>160</sup> Judaism varies from most religions because it does not vest a central authority in any one person. Instead, Jews follow the laws and commandments found in the Bible's Old Testament. The sacred book of the Jews is called the *Tanakh*, an acronym representing its three parts. The *Tanakh*, consisting of 39 books, is made up of the *Torah* (the first five books of the Old Testament), the *Ketuvim* (the Writings), and the *Naviim* (the Prophets).<sup>161</sup> The Hebrew Bible is a book of instructions, prophecy, law codes, genealogies, histories, cosmology, folktales, poetry, proverbs, prayers, commentaries, and more.<sup>162</sup>

The *Torah* is the epicenter of the Jewish faith. The word *Torah* comes from the Hebrew word for "to guide" or "to teach." The five books of the *Torah* are believed by many Jews to have been dictated to Moses by God on Mount Sinai and

157. See PAS, *supra* note 150, at 162. In Taoism, a man who has achieved divinity through devotion to Taoist practices and teachings is a *Hsien*—an immortal.

158. GEORGE ROBINSON, *ESSENTIAL JUDAISM: A COMPLETE GUIDE TO BELIEFS, CUSTOMS, AND RITUALS* 263 (2000).

159. *Genesis* 15:6 ("And he [Abraham] believed in the Lord; and He [God] counted it to him for righteousness.").

160. ROBINSON, *supra* note 158, at 257.

161. *Id.*; DAVID S. ARIEL, *WHAT DO JEWS BELIEVE? THE SPIRITUAL FOUNDATIONS OF JUDAISM* 134 (1995).

162. ROBINSON, *supra* note 158, at 260.



in the wilderness of Sinai.<sup>163</sup> The five books present a narrative, spanning from the creation of the universe to the death of Moses preceding the Jewish entry into Canaan.<sup>164</sup> The *Torah* sets forth the *mitzvah*, the commandments Jews are called to follow.<sup>165</sup>

The traditional Jewish faith is dedicated to a strict adherence to the laws and rituals in the *Torah*, viewed as the binding and unchanging word of God as dictated to Moses. Traditionalists believe that the *Torah* is the divine word of God and therefore "unimpeachably true."<sup>166</sup> For these traditional Jews, Judaism is a non-static practice that "has persisted as one and the same from Moses to our day," not subject to amendment by mere humans.<sup>167</sup> In contrast, the modernists, a more liberal group of Jewish believers, view the *Torah* as only God-inspired and therefore susceptible to reinterpretation.<sup>168</sup> Despite which view is taken, the daily public reading of the *Torah*, established by Ezra around 458 BC, has evolved into weekly readings in synagogues around the world.<sup>169</sup>

The Jews have no formal name for the Creator God. The precise name of the God of Israel is unknown. He is the great "I AM THAT I AM" (*Ehyeh-Asher-Ehyeh*) of *Exodus* 3:14: "And God said unto Moses, I AM THAT I AM: and he said, Thus shalt thou say unto the children of Israel, I AM hath sent me unto you."<sup>170</sup>

The sacred tetra-gram (four letters) JHWH, from the Hebrew *Yod-Heh-Vav-Heh*, represents His name, and adding vowel points to JHWH, Jews generally call God *Yahweh*. This word is related to the Hebrew root *Heh-Yod-Heh*, which comes from the singular third person imperfect verb form of "to be," translating to "He is." Still, this imagined name of Yahweh is seldom, if ever, pronounced aloud because Jews do not utter God's name outside of the temple.<sup>171</sup> Instead, out of awe and respect, the word *Adonai* is substituted in prayer, which means Lord, or *Hashem*, meaning the name, is used colloquially. *Shaddai*, another name attributed to the Jewish God, is the name by which Abraham, Isaac, and Jacob knew Him. Just as God's name is spoken with caution, so is the case with the written form. The written name of God is not prohibited, but it cannot be erased or defaced.<sup>172</sup>

Judaism believes that the Jewish people are God's chosen.

Now therefore, if ye will obey my voice indeed, and keep my covenant, then ye shall be a peculiar treasure unto me above all people: for all the earth is mine: And ye shall be unto me a king-

163. ARIEL, *supra* note 161, at 135.

164. ROBINSON, *supra* note 158, at 265.

165. *Id.* at 196, 223.

166. MILTON STEINBERG, BASIC JUDAISM 23 (1974).

167. *Id.* at 24.

168. *Id.*

169. ROBINSON, *supra* note 158, at 278-79.

170. *Exodus* 3:14.

171. ROBINSON, *supra* note 158, at 9.

172. *Id.* at 10.

dom of priests, and a holy nation. These are the words which thou shalt speak unto the children of Israel.<sup>173</sup>

Nevertheless, the concept of a chosen people is premised not on superiority, but on a willingness to follow God's laws.<sup>174</sup> It is a covenantal relation between God and Israel that is eternal and reciprocal.<sup>175</sup> The Jewish people believe they have been called to bear God's witness and spread His name among all nations of the world while adhering to His laws.<sup>176</sup>

As the chosen people, much debate has arisen over defining Judaism as a religion or a race. "Judaism is the particular faith of a particular people."<sup>177</sup> According to traditional Jewish law, a person is Jewish if her mother is Jewish.<sup>178</sup> Yet, some modern believers classify a child as Jewish if either parent, mother or father, is Jewish and the child is raised under Jewish influence.<sup>179</sup> However, common ancestry is not mandatory. Although Jews are opposed to intermarriages with non-Jews, a person can convert to Judaism.<sup>180</sup> Converts are usually treated as true Jews as long as they unequivocally embrace Judaism.<sup>181</sup> For this reason, many do not consider Judaism to be a race, which typically requires common ancestry and genetic traits. Yet, despite this reasoning, the United States Supreme Court classified Judaism as a race for anti-discrimination purposes in the 1980s.<sup>182</sup>

A continuing controversy for Jews is the issue of the Messiah. To believe in Judaism means that you reject Jesus Christ as the promised Messiah and the one who uniquely fulfilled all the prophecies in the *Tanakh*.<sup>183</sup> Instead, the coming of the Jewish Messiah is still an event in the future. The future Messiah will redeem the people and break the bonds of oppression by establishing his Kingdom on Earth.<sup>184</sup> Although there is much debate among Jews about when and how he will come, the Messiah is prophesized to bring deliverance. While some believe the Messiah will be an actual man, descended from David as predicted,<sup>185</sup> others envision the Messiah as simply a utopian age when good men laboring together will establish the Kingdom of Heaven on Earth.<sup>186</sup> Despite the fact that Jesus claimed to be the Jewish Messiah, non-Christian Jews view Jesus, a Jew himself, as merely a good teacher and not the Messiah.<sup>187</sup> Of course, the logic in this is rather shallow. If Jesus was not the Messiah as He proclaimed then He cannot be a "good

173. *Exodus* 19:5-6.

174. ROBINSON, *supra* note 158, at 73.

175. ARIEL, *supra* note 161, at 108.

176. *Id.*

177. STEINBERG, *supra* note 166, at 114.

178. ROBINSON, *supra* note 158, at 178.

179. *Id.*

180. ARIEL, *supra* note 161, at 229.

181. *Id.*

182. *See* Shaare Tefila Congregation v. Cobb, 481 U.S. 615, 617-18 (1987).

183. STEINBERG, *supra* note 166, at 167.

184. *Id.*

185. *See* *Matthew* 22:41-45. The Jewish religious leaders were confounded about the fact that the Messiah is called "Lord" by David in *Psalms* 110:1.

186. *See* HUSTON SMITH, *THE WORLD'S RELIGIONS* 195 (1991).

187. *See* *Mark* 10:16-18. Some Jews in the time of Christ recognized Jesus as "Good Teacher."

teacher." Obviously, the astute observer realizes that a good teacher would not engage in the greatest lie of all by claiming such things as to be the Messiah,<sup>188</sup> claiming to be sinless,<sup>189</sup> claiming to be God,<sup>190</sup> claiming to be able to forgive sin,<sup>191</sup> claiming to be able to rise from the dead,<sup>192</sup> and claiming to provide eternal life to anyone who believes in Him.<sup>193</sup>

Israel, the birthplace of the Jewish people, was declared independent at Tel Aviv on May 14, 1948 and subsequently admitted to the United Nations.<sup>194</sup> After a long history filled with expulsion, dispersion, and persecution, the Jewish State in Palestine was created, re-establishing the birthplace of the Jewish people.<sup>195</sup>

In summary, Jews believe that they have a special relationship with God which will provide a pathway into heaven as long as they fulfill obligations set out in the various rules and requirements of behavior ranging from the Ten Commandments of *Exodus* 20 to a whole host of other laws and ordinances found in the *Torah* and in various customary practices. On the other hand, there are dozens of passages in the *Tanakh* which run counter to this formulistic approach to salvation. These passages, which Christians claim represent a totally different formula for salvation (called grace), speak to a relationship with God based on simple faith in the "Lord."<sup>196</sup> For instance, *Genesis* 15:6 states that Abraham, the founder of the Jews, was deemed righteous because he had believed in the Lord: "And he believed in the Lord; and he [God] counted it to him for righteousness."<sup>197</sup>

## F. Islam

Islam<sup>198</sup> was introduced into the Middle East in AD 622 by an Arab named Muhammad (AD 570-632).<sup>199</sup> Muhammad<sup>200</sup> was born into the Koreish tribe in Mecca, in what is now Saudi Arabia, a prosperous city on the caravan route between the Mediterranean and Indian Ocean.<sup>201</sup> Although he was orphaned young

188. *John* 4:26; *Luke* 23:71; *Matthew* 13:15-17. Jesus claims to be the Messiah.

189. *John* 8:46. Jesus challenges the religious leaders to charge him with even a single sin.

190. *Matthew* 7:21, 16:27, 26:64; *Luke* 22:70. Jesus declares that He is God or the Son of God.

191. *John* 8:24; *Matthew* 7:21-23, 9:6, 36:41. Jesus can forgive sin and will judge mankind.

192. *Matthew* 17:9, 20:18-19; *Mark* 10:33-34. Jesus will rise from the dead.

193. *John* 3:36; *Matthew* 19:28. Jesus declares He can provide everlasting life.

194. ROBINSON, *supra* note 158, at 538.

195. *Id.* at 495.

196. See, e.g., *Psalms* 34:22 ("The Lord redeemeth the soul of his servants: and none of them that trust in him shall be desolate."); *Habakkuk* 2:4 ("Behold, his soul which is lifted up is not upright in him: but the just shall live by faith.").

197. *Genesis* 15:6. The New Testament commentary on this is found in *Romans* 4:3-5.

198. The term "Islam" is derived from the root word *s-l-m*, meaning "peace," and according to some translations, in a secondary sense "surrender." The full implication of the term *s-l-m* is "the peace that comes when one's life is surrendered to God." HUSTON SMITH, *THE WORLD'S RELIGIONS*, *supra* note 186, at 222.

199. Although it is said Islam was introduced into the Middle East in the seventh century by Muhammad, Islam is said not to begin with the prophet Muhammad, but with God (or more appropriately Allah, which is formed by joining the article *al* (meaning "the") with *Ilah*, meaning "God," for a literal translation of "the God") Himself. *Id.*

200. *Id.* at 224. Muhammad means "highly praised," and has since been the name given to more male children than any other.

201. *Id.* at 223.



and grew up poor and disadvantaged, Muhammad married a wealthy older widow and entered a life of ease at the age of 25.<sup>202</sup> Freed from the need to work, Muhammad spent long hours in a mountain cave outside the city.<sup>203</sup> Here he claimed to have received a series of revelations<sup>204</sup> from Allah, the leading god worshipped in the polytheistic city of Mecca.<sup>205</sup> Muhammad soon declared that Allah was the only god in existence and that all the other gods were false. An illiterate, Muhammad attracted a small band of followers to document everything he said. At the age of forty Muhammad began to preach in public, only to be greeted with skepticism and hostility by the ruling merchants of Mecca.<sup>206</sup> Eventually, he was forced to flee about 300 miles to the rival city of Yathrib, later called Medina,<sup>207</sup> where he raised an army of 10,000 warriors. After a series of battles between Medina and Mecca lasting several years, Muhammad took the city of Mecca by force and the surviving inhabitants converted to Islam.<sup>208</sup> From Mecca, the new religion spread rapidly, primarily on the wings of military expansionism.<sup>209</sup>

When Muhammad died in AD 632, he left behind a battle-hardened army, united as never before and ready to move into Europe. Muhammad's primary military chief, Abu Bakr (AD 573-634),<sup>210</sup> swiftly took control of the ever-expanding

202. *Id.* at 224. Khadija, a wealthy widow, was fifteen years older than Muhammad. Together Muhammad and Khadija had four daughters. Two of these daughters married Islamic *caliphs* (political and spiritual leaders in Islamic society). CANER & CANER, *supra* note 32, at 41. Khadija later died when Muhammad was fifty. After Khadija died, Muhammad had as many as eleven wives, including Aishah who was approximately nine years old when they married. *Id.* at 56.

203. Mount Hira was located a short distance from Mecca and was frequented by Muhammad for approximately fifteen years. HUSTON SMITH, *THE WORLD'S RELIGIONS*, *supra* note 186, at 224. Muhammad's financially satisfying marriage allowed him fifteen years to meditate in Mount Hira. CANER & CANER, *supra* note 32, at 41.

204. In AD 610, Muhammad's spiritual expeditions climaxed into a vision in which Muhammad claimed that the angel Gabriel summoned him to be the last prophet, following Moses, Abraham, and Jesus. For a description of the revelation, see Koran 96:1-5. Muhammad's wife Khadija convinced him that he was not possessed by a desert *jinn*, but his revelation truly was inspired by Allah. See CANER & CANER, *supra* note 32, at 42. For an account of the discussion between Muhammad and Khadija after the revelation, refer to the *Hadith* of Sahih Al-Bukhai. See also Hadith 1.1.3. This first revelation was the beginning of a twenty-two-year spiritual journey for Muhammad, ultimately resulting in the production of the Koran. THE MUSLIM ALMANAC 4 (Azim A. Nanji ed., 1996). Throughout this entire experience Khadija supported Muhammad and eventually became his first convert. *Id.* at 5.

205. HUSTON SMITH, *THE WORLD'S RELIGIONS*, *supra* note 186, at 225. Allah and many other desert *jinn* were already worshipped by the Meccans. A sect of Meccan society, the *Hanifs*, to which Muhammad belonged, worshipped Allah exclusively. THE MUSLIM ALMANAC, *supra*, at 3.

206. HUSTON SMITH, *THE WORLD'S RELIGIONS*, *supra* note 186, at 227. Huston Smith lists three reasons why Muhammad was met with violent hostility: (1) Islam's monotheism deeply threatened the revenue that came to Mecca from pilgrimages to its 360 shrines; (2) the strict moral teachings would require curtailment of self-indulgence; and (3) Mecca was locked into social class distinctions.

207. *Id.* at 228. Muhammad made this journey, known in Arabic as the *Hijra* (the migration), in AD 622. This year provides the foundation for the Muslim calendar. Later the city converted its name to *Medinat al-Nabi*, now simply Medina. *Id.* at 229.

208. The first battle of any significance took place in AD 624 and was known as the Battle of Badr. THE MUSLIM ALMANAC, *supra* note 204, at 7. Muhammad's army, ill-trained and outnumbered, was nevertheless successful. Being victorious in the first battle provided inspiration throughout the entire war, and was also seen as an omen of Allah's support for their cause.

209. *Id.* When Muhammad died, essentially all of Arabia was under Islamic reign.

210. CANER & CANER, *supra* note 32, at 68. Abu Bakr was a father-in-law of Muhammad. Throughout Abu Bakr's reign three goals were reached: (1) Islamic armies successfully conquered the entire Arabian Peninsula; (2)

Islamic army and violently crushed all opposition to his claim as successor. Abu Bakr was the first caliph of Mecca and launched the Islamic forces on a blitzkrieg across Arabia, conquering region after region in the name of the new religion.<sup>211</sup> By AD 710, the Arab Muslims had even entered Spain, only to be turned back from France by the Frankish ruler Charles Martel (AD 688-741) and his knights at the Battle of Tours in AD 732.<sup>212</sup>

Abu Bakr was also responsible for collecting all of the sayings of Muhammad and incorporating them into a book called the *Koran*.<sup>213</sup> The *Koran*, more than any other item, is central to the Muslim religion.<sup>214</sup> In order for the soul of the deceased to go to heaven or paradise, one must strictly follow the dictates of the *Koran*.

The religion is divided into Five Pillars of Islam and Six Pillars of Faith.<sup>215</sup> The pillars focus on various rituals and beliefs that every Muslim must perform and accept. In general terms, to be a Muslim requires the following:

- (1) One must confess the core Islamic beliefs in the proper manner, that Allah is god and that Muhammad the Prophet is his messenger: "*La ilaha illa Allah; Muhammad rasul Allah*."<sup>216</sup> Although Islam recognizes that there have been prophets before him (e.g., Moses and Jesus), Muhammad is the culmination and no legitimate prophets will succeed him.<sup>217</sup> (Certain parts of the Old Testament and even limited aspects of the New Testament are accepted as valid.)

the first written version of the *Koran* was produced; and (3) almost the entire Arabian Peninsula was converted to Islam.

211. *Id.* Islam, under the second caliph, Umar, eventually conquered Syria (AD 634), Iraq (AD 636), Egypt (AD 639), and Persia (AD 642). In short order, Islam had under its control Cyprus (AD 647), Tunisia and parts of Afghanistan (AD 670), Rhodes (AD 672), North Africa (AD 700), parts of Spain (AD 711), lands adjacent to the western Chinese border (AD 715), and Morocco (AD 722).

212. *Id.*

213. *Koran* comes from the word *al-qur'an*, meaning "recitation" in Arabic. The *Koran* is divided into 114 *suras* (chapters). The *suras* are in order from longest to shortest. A majority of Islam's devoted followers interpret the *Koran* in a very strict and literal sense. Muhammad received the words of the *Koran* over twenty-three years through voices which he at times doubted. *Id.* at 232. As noted earlier, Muhammad was unable to read or write, so the words he proclaimed were memorized by his followers and recorded on anything available at the moment. Criticism of the accuracy of the *Koran* often depicts this method as untrustworthy. To this, Muslims say Allah has preserved the accuracy of the *Koran* throughout time and history. Curiously, however, Muslims believe the Old and New Testaments only present limited portions of the truth and have been corrupted. *Id.* at 233.

214. See Mustafa Al-Sibai, *The Farewell Pilgrimage*, in *THE BIOGRAPHY OF ALLAH'S PROPHET: LESSONS AND EXAMPLES* 135-39 (Ghassan Abdel Fattah & Carlo Shariffa trans., 1993). The *Koran*, along with the authentic prophetic narrations known as *Hadith*, are the two most fundamental and important sources of guidance for Muslims. Both are central to the Islamic faith.

215. The *Koran* dictates that God is not a trinity. *Koran* 5:73-75. One must believe in God, in Allah's prophets, in angels, in the holy books, in the final judgment day, and accept *Al-Qadar* (Divine predestination). See generally I.A. IBRAHIM, *A BRIEF ILLUSTRATED GUIDE TO UNDERSTANDING ISLAM* 47-49 (1996).

216. HUSTON SMITH, *THE WORLD'S RELIGIONS*, *supra* note 186, at 242. Islam's creed is also known as the *Shahadah*. It translates to "There is no god but Allah. Muhammad is the messenger of Allah." Every Muslim, at least once in their lifetime, must say the *Shahadah*. CANER & CANER, *supra* note 32, at 244.

217. Jesus' name appears twenty-five times in the *Koran*. CANER & CANER, *supra* note 32, at 212. Muslims believe Jesus was merely a man and reject Jesus' claim of Godship and His offer of salvation by faith in Christ. See, e.g., *John* 3:16; IBRAHIM, *supra* note 215, at 58. They believe Jesus was not crucified. See also *Koran* 4:157.

- (2) One must pray in a particular manner that requires the faithful to prostrate<sup>218</sup> himself in the direction of Mecca<sup>219</sup> five times a day.<sup>220</sup> A caller delivers the call to prayer from a tall tower, a symbol to all that the nation is strictly tied to a communion with god and to the social brotherhood.
- (3) One must give money to the poor and to the religious organization in compliance with a set mathematical formula.<sup>221</sup> The *Koran* is explicit on this matter; annually, two and one-half percent of the Muslim's property must be given to the poor.<sup>222</sup>
- (4) One must fast one time each year, during the month of Ramadan.<sup>223</sup>
- (5) One must go on a sacred pilgrimage; the greatest—required for all during their lifetime, if at all possible—is the trip to Mecca. The great annual pilgrimage to Mecca is called the *Hajj*.<sup>224</sup>
- (6) One must take part in "holy" war, if required. The holy war concept can apply in the real sense of taking up arms against an enemy, but it also speaks of an inner spiritual cleansing of wicked thoughts and deeds.<sup>225</sup> As such, the *Koran* lays down a meticulous code of moral and ethical behavior. Drinking intoxicants, gambling, larceny, lying, eating pork and unlawful sexual relations are just a few of the sins detailed in the *Koran*.<sup>226</sup>

In conclusion, Muhammad founded a religion that prescribes an extremely strict moral, social, political and legal code, coupled with a series of demanding

218. CANER & CANER, *supra* note 32, at 122. During the *rakats*, or prayer rituals, Muslims prostrate themselves as an act of submission to Allah. Mosque, or *masjid*, in Arabic means a place of prostration. GEORGE BRASWELL, WHAT YOU NEED TO KNOW ABOUT ISLAM AND MUSLIMS 33 (2000).

219. HUSTON SMITH, THE WORLD'S RELIGIONS, *supra* note 186, at 246. Muslims originally prayed facing Jerusalem. Muhammad later directed that prayers be made facing Mecca.

220. IBRAHIM, *supra* note 215, at 66. Prayer in Islam is an instant direct connection between Allah and the worshipper. Before prayer, the *Koran* directs Muslims to cleanse and purify themselves. This is known as the *wudu* or "cleansing." CANER & CANER, *supra* note 32, at 123. Certain acts can abrogate the cleansing. *Id.* at 124.

221. The almsgiving (*zakat*) cleanses the Muslim; it is essentially an act of purification. See THE MUSLIM ALMANAC, *supra* note 204, at 14. See also CANER & CANER, *supra* note 32, at 125; *Koran* 2:110. Some have stated when a Muslim gives his offering he hopes the blessings Allah provides are in direct proportion. *Id.* at 127. See also *Koran* 2:277; Hadith 2.486, 2.514.

222. See HUSTON SMITH, THE WORLD'S RELIGIONS, *supra* note 186, at 246. The *Koran's* strict percentage applies to complete holdings and not just taxable income.

223. *Id.* at 247. Ramadan is Islam's holy month. It is considered holy because it is the month Muhammad claimed to have had his first revelation, and the month Muhammad made his *hijra* (migration) from Mecca to Medina. From dawn until the sun sets, Muslims are not allowed to partake in food, drink, smoking, or sexual relations. See generally *id.*; THE MUSLIM ALMANAC, *supra* note 204, at 14; CANER & CANER, *supra* note 32, at 127. The fasting is supposed to produce a heightening of one's relationship with Allah through additional time spent with the *Koran* and in prayer. See *Koran* 2:183.

224. HUSTON SMITH, THE WORLD'S RELIGIONS, *supra* note 186, at 247. Every Muslim who is physically and economically capable is required to make a pilgrimage to Mecca. When Muslims reach Mecca they are expected to dress in simple white robes to symbolize unity. This is known as the cleansing period or *ihram*. The great pilgrimage is not just a journey, but a very specific ritual which must take place. Muslims circle the Ka'aba (the sacred meteoric stone of the Islamic faith) seven times, run seven times between the hills of Safa and Marwa, travel thirteen miles to the plains of Arafat, and then go to Mina to cast stones in an act symbolizing the rejection of evil by Abraham. Pilgrims then make an animal sacrifice and return to circle the Ka'aba once more, completing the *Hajj*. See THE MUSLIM ALMANAC, *supra* note 204, at 15; CANER & CANER, *supra* note 32, at 129.

225. HUSTON SMITH, THE WORLD'S RELIGIONS, *supra* note 186, at 247. See also Hadith 9.93.549, 9.93.555. *Jihad* is derived from *juhd* which means "effort and striving." *Jihad* is also interpreted as meaning "holy war." Those who die during *jihad* are assured of heaven.

226. See generally CANER & CANER, *supra* note 32.



rituals. Muhammad stressed that he was not divine; he was only a human whom God had chosen to be the messenger. His message was that one must strictly follow all of the Islamic moral laws and codes of behavior to get to heaven.

### G. Christianity

Of all the major religions, Christianity has the largest number of followers and is the most widespread. Christians claim a direct extension from Judaism,<sup>227</sup> and the Christian Bible incorporates with its New Testament all of the books of the *Tanakh* (the Old Testament).<sup>228</sup> Although there are three major divisions—Roman Catholicism, Eastern Orthodoxy, and Protestantism<sup>229</sup>—Christianity is a system of belief that begins and ends with the person of Jesus of Nazareth.<sup>230</sup> Biblical Christianity holds that Jesus is the Messiah of the Old Testament—the Christ, the God/man<sup>231</sup>—who, while suspended on a Roman cross, willingly bore God's judgment for all human sins.<sup>232</sup> This unlimited atonement for each human's sin—past, present, and future—provides instantaneous and irrevocable salvation to any member of the human race regardless of personal merit or worthiness.<sup>233</sup>

Unlike other religions, whose founders could be entirely removed without destroying the noetic (intellectual) aspects of the religion, without the person and work of Jesus Christ,<sup>234</sup> Christianity would cease to be. This is because the path set forth by Christianity to an eternal relationship with God (salvation) is not based on a system or formula of human works (morality, rituals, and so on) or philosophy, as

227. See HUSTON SMITH, *THE WORLD'S RELIGIONS*, *supra* note 186, at 221. The doctrine of the trinity holds that "while God is fully one, God is also three. The latter half of this claim leads Jews and Muslims to wonder if Christians are truly monotheists, but Christians are confident that they are." *Id.*

228. *Id.* at 206.

229. *Id.*

230. See *supra* notes 188-93 and accompanying text.

231. LEWIS SPERRY CHAFER, 2 *SYSTEMATIC THEOLOGY* 386-87 (1947). The Chalcedonian declaration about Christ has been the standard of orthodox thinking about the nature of Jesus Christ for almost 1,500 years. It reads in part: "We, then, following the holy Fathers, all with one consent, teach men to confess one and the same Son, our Lord Jesus Christ, the same perfect Godhead and also perfect Manhood; truly God and truly man, of a reasonable [rational] soul and body; consubstantial [co-essential] with the Father according to the Godhead, and consubstantial with us according to the Manhood; in all things like unto us, without sin; begotten before all ages of the Father according to the Godhead, and in these latter days. For us and for our salvation, born of the Virgin Mary." *Id.*

232. See, e.g., 1 *John* 2:2 ("And He Himself is the propitiation for our sins [believers]; and not for ours only, but also [for those of] the whole world."); *John* 1:29 ("Behold the Lamb of God, which taketh away the sins of the world."); *Matthew* 1:21 ("And she shall bring forth a son, and thou shalt call his name JESUS: for he shall save his people from their sins."); *Luke* 2:11 ("For unto you is born this day in the city of David a Saviour, which is Christ the Lord.").

233. The concept of unlimited atonement is found in a number of passages to include 2 *Corinthians* 5:14-15, 19; 1 *Timothy* 2:6; 4:10; *Titus* 2:11; *Hebrews* 2:9; 2 *Peter* 2:1; 1 *John* 2:2. For an excellent discussion of the work of Christ on the cross, see R.B. THIEME, JR., *THE BARRIER* 21 (2003): "When Christ hung on the cross, God imputed all the sins of the entire human race to Him and judged them. He was sinless Himself and, therefore, uniquely qualified to be our substitute. He bore in His own body on the cross every sin we have committed or ever will commit—past, present, and future (1 [*Timothy*] 4:10; 1 [*Peter*] 2:24). Our sins were charged to Christ, not to us. But until we accept His sacrifice by faith alone in Christ alone ([*Ephesians*] 2:8-9), we retain our own relative righteousness." *Id.*

234. See JOSH McDOWELL, *EVIDENCE THAT DEMANDS A VERDICT* 83-89 (1972) (chronicles the historicity of Jesus from a variety of extra-biblical sources).

all other works-religions dictate. Rather, it is based on the work of Jesus Christ while on the cross. The distinguished pastor and biblical scholar R.B. Thieme, Jr. encapsulates this point in his publication, *The Plan of God*: "Biblical Christianity asserts that only the work of God through Jesus Christ provides the means of salvation and eternal relationship with God (John 8:12). Christianity proclaims *God's way of salvation* for the human race."<sup>235</sup>

In the early years of Christianity,<sup>236</sup> when the Roman persecution was heaviest, believers would use the symbol of the fish as a recognition sign.<sup>237</sup> As an encapsulated illustration to what biblical Christians believe—then and now—the Greek letters that spell "fish" corresponded to the words "Jesus Christ[,] God's Son [the] Savior."<sup>238</sup>

In Christianity, one's eternal relationship with God is based absolutely and solely on a single act of personal belief in the redeeming work of the God/man Jesus Christ on the death cross where he suffered "spiritual death"<sup>239</sup> and became the substitute sacrifice for Man's sin.<sup>240</sup> Since Jesus Christ was the perfect God/man, He was qualified to bear the sins of the world and provide salvation to all who believe.<sup>241</sup> This grace policy excludes all human merit as a means of salvation and thus stands in sharp contrast to all of the other major religions:<sup>242</sup> "For by grace are you saved through faith; and that not of yourselves, it is the gift of God: Not of works lest any man should boast."<sup>243</sup>

The testimony of Christ's person and work is recorded in the New Testament, a series of documents written by either eyewitnesses or those directly associated with eyewitnesses, from AD 40 (the earliest estimate for the book of Matthew) to AD 100 (the latest estimate for the book of John).<sup>244</sup> These writers clearly set out that God "made Him [Jesus Christ] who knew no sin to be sin on our behalf that we might become the righteousness of God in Him [Jesus Christ]."<sup>245</sup> The New Tes-

235. R. B. THIEME, JR., *THE PLAN OF GOD* 3 (2003) (emphasis added).

236. See generally CARL A. VOLZ, *FAITH AND PRACTICE IN THE EARLY CHURCH* (1983).

237. See HUSTON SMITH, *THE ILLUSTRATED WORLD RELIGIONS*, *supra* note 88, at 215 ("That phrase contained the Good News the Christians were on fire with.").

238. *Id.* ("They choose the fish for their logo because the Greek letters for fish are also the first letters of the Greek words for 'Jesus Christ, Son of God, Savior.'").

239. THIEME, *supra* note 235, at 23 (pointing out that Christ bore the sins of the world before he physically died on the cross, voluntarily dismissing his soul and spirit).

240. *Romans* 1:16a ("For I am not ashamed of the gospel of Christ: for it is the power of God unto salvation to every one that believeth.").

241. *Titus* 3:5 ("He saved us, not on the basis of deeds which we have done in righteousness, but according to His mercy.").

242. See, e.g., *Romans* 4:5 ("For the one who does not work, but believes in Him who justifies the ungodly, his faith is reckoned as righteousness."); *2 Corinthians* 5:21 ("He [God the Father] made Him [Jesus Christ] who knew no sin to be sin on our behalf, that we might become the righteousness of God in Him"); *Galatians* 2:16 ("Nevertheless knowing that a man is not justified by the works of the Law but through faith in Jesus Christ, even we have believed in Christ Jesus, that we may be justified by faith in Christ, and not by the works of the Law; since by the works of the Law shall no flesh be justified."); *Romans* 3:24 ("Being justified as a gift by His grace through the redemption which is in Christ Jesus"); *Romans* 4:5 ("But to the one who does not work, [for salvation] but believes in Him who justifies the ungodly, his faith is reckoned [credited] as righteousness.").

243. *Ephesians* 2:8-9.

244. See IAN WILSON, *JESUS: THE EVIDENCE* 11-23, 38-39 (1996). Wilson sets out dates for papyrus fragments from Matthew, John, and other New Testament texts that all date from the first century.

245. *2 Corinthians* 5:21.

tament asserts that this action was motivated by God's love: "God so loved the world, that He gave his only begotten [uniquely born] Son, that *whosoever believeth in him* should not perish, but have everlasting life."<sup>246</sup>

When anyone responds to the message of faith alone in Christ alone (the "gospel"), God performs a number of irrevocable actions to include providing eternal life<sup>247</sup> and, remarkably, eternal security (the Biblical doctrine related to the absolute security of salvation).<sup>248</sup> Although the grace system of belief revealed in Christianity is totally antithetical to the works formula for salvation found in the other world religions, the concept of human morality and works as a vehicle to gain the approbation of God is sadly a constant plague to Christian doctrine. To be sure, Christians are commanded and should always strive to follow the moral laws set out in the Bible,<sup>249</sup> but this obligation is not a requirement for salvation. Salvation is appropriated freely based on a one-shot decision in a moment of time to believe in Christ. When a Roman officer asked what he had to do to be saved, Paul and Silas said: "Believe on the Lord Jesus Christ, and thou shalt be saved, and thy house [should also do the same]."<sup>250</sup>

In his multi-volume work on systematic theology, Lewis Sperry Chafer, late president and professor of systematic theology at Dallas Theological Seminary, wrote:

The idea that man will stand on a basis of personal worthiness has been the chief heresy, opposing the central doctrine of grace, from the time of Christ's death to the present hour. It so permeates the church that few who preach are able to exclude it from their attempts at gospel preaching. It is safe to say that wherever the element of human merit is allowed to intrude into the presentation of the plan of salvation, the message is satanic to that extent.<sup>251</sup>

Thus, grace-religion is all that God is free to do for Man on the basis of the work of Jesus Christ on the cross. For biblical Christians, grace is God's policy

246. John 3:15-16, 10:28, 20:31 (emphasis added). See also 1 John 5:11-12.

247. See, e.g., 1 John 5:11-12; Romans 8:38-39. For an excellent chart detailing from the New Testament a list of thirty-nine irrevocable absolutes that the believer receives (including eternal life) at the point of faith in Christ, see THIEME, *supra* note 235, at 23-26, app. at 29-33.

248. See, e.g., Romans 8:38-39 ("For I am persuaded, that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord."). See also R.B. THIEME, JR., *THE PRODIGAL SON* 6-7, 31-32 (1974) (setting out a detailed analysis of the Doctrine of Eternal Security).

249. See Romans 13 (discussing the Christian obligation towards the national entity).

250. Acts 16:31.

251. CHAFER, *supra* note 231, at 110-11. Chafer also considered all concepts not in keeping with grace as being satanic: "[T]he greatest delusion Satan imposes—reaching to all unsaved and to a large portion of Christians—is the supposition that only such things as society considers evil could originate with the devil—if, indeed, there by any devil to originate anything. It is not the reason of man, but the revelation of God, which points out that governments, morals, education, art, commercialism, vast enterprises and organizations, and much of religious activity are included in the *cosmos diabolicus*. That is, the system which Satan has constructed includes all the good which he can incorporate into it and be consistent in the thing he aims to accomplish. A serious question arises whether the presence of gross evil in the world is due to Satan's intention to have it so, or whether it indicates Satan's inability to execute all he has designed." *Id.*



and plan. Works-religion is a progressive process; grace is non-meritorious and instantaneous.

## V. CONCLUSION

But Lord, Be merciful to me, a fool.<sup>252</sup>

When Karl Marx (1818-1883) wrote that religion is the “opium of the people,”<sup>253</sup> he was referring to the fact that religion has long been used by those in power to control the social, political and cultural behavior of the masses, with little or no concern for the content or validity of the underlying theological principles. Indeed, to any serious student of history, there is no question that the psychological forces associated with religion have played a powerful role in controlling and channeling human behavior across a broad spectrum, even to the point where monstrous horrors have been committed in the name of religion. People of all religions are guilty.<sup>254</sup> This does not mean that the religion is at fault; only the people that have used (or misused) the religion are at fault.

In general terms, all of the major religions discourage the use of aggressive violence, to include terrorism—the moral codes are the same. Clearly, the basic themes of the various religious beliefs are not the problem. Even without religion, groups intent on aggression and terror would find some excuse to justify their unlawful use of violence.

In the current Global War on Terrorism, various individuals and groups have engaged in aggressive violence against innocent civilians in the name of Islam. The response by the United States has taken the form of the use of violence in self-defense, but has generally not been cloaked in any specific religious ideology. Paradoxically, the voices in the West that have most loudly employed religious beliefs in this context have been those that seek to tie Christianity with pacifism. In their search for the panacea of brotherhood, these voices<sup>255</sup> intentionally blur the difference between lawful and unlawful uses of force. “Left unchallenged, this attitude will only encourage aggression, not forestall it.”<sup>256</sup> While voices of restraint and negotiation must always be considered in the equation of responding to aggression, the use of lawful force under the rule of law must remain as a primary option. Just as it is wrong that al-Qa’eda-styled terrorists and the dictators that harbor them murder in the name of religion, it is wrong to ignore or excuse these fanatics in the name of religion.

252. Edward Rowland Sill, *quoted in FEDERER, supra* note 1, at 562.

253. Karl Marx, Contribution to the Critique of Hegel’s Philosophy of Right, in *THE PORTABLE KARL MARX* 115 (Eugene Kamenka ed., Penguin 1983) (1843) (one of Karl Marx’s most often quoted phrases, found in the introduction of his work and translated from the German “*Die Religion . . . ist das Opium des Volkes*”).

254. See HUSTON SMITH, *THE ILLUSTRATED WORLD RELIGIONS, supra* note 88, at 10-11 (“A balanced view of religion would include witch hunts and inquisitions, pogroms and persecution, the Christian Crusades and holy wars of Islam. The catalogue would have no end.”).

255. ADDICOTT, *supra* note 7, at 326.

256. *Id.*

Finally, it is vitally important that the West understand that the War on Terror is not a religious conflict that pits Islam against other religions. It is rather a war against religious fanatics who wrongfully invoke the Islamic religion as a justification for aggression. History has seen these fanatics many times before as they have pillaged and murdered in the name of the other major religions. This generation of free people must squarely face the evil that confronts it. The War on Terror must be fought with the courage to employ legitimate and lawful force in the name of justice, not religion.